

WEDNESDAY, MAY 24, 1989

FIFTIETH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Bob Kelley, Pastor, Franklin Road Baptist Church, Murfreesboro, Tennessee.

Representative Fred Hobbs led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Nuber was excused because of business meetings.

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MESSAGE FROM THE SENATE

May 23, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 405, 407, 408, 410, 411, 412, 413, 415, 417, 418, 425 and 427; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

May 23, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 162, 443, 468, 1096, 1111, 1129, 1170, 1272, 1338, 1537, 1539 and 1540; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

May 23, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 66; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

May 23, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 646; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

May 23, 1989

MR. SPEAKER: I am directed to return to the House, House Bill No. 193.

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The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 649; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 767.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1090; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1135.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 2, 4, 10, 13, 14, 16 and 17.

The Speaker appointed a Conference Committee composed of Senators Kyle, McNally, Arnold, Darnell and Ford to confer with a

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like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 1135.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1385; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**May 23, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 369, 474, 1123 and 1409; also, Senate Joint Resolution(s) No(s). 289, 290 and 291; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 83, 122, 376, 388, 449, 467, 497, 591, 592, 618, 643, 684, 696, 1046, 1053, 1162, 1164, 1187, 1225, 1285, 1352, 1370, 1467, 1532 and 1533; also, House Joint Resolution(s) No(s). 185, 187, 384, 385, 388, 389, 391, 392, 393, 395, 396, 397, 398, 399, 400, 403 and 404; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**May 23, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 343 and 345; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.



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**Senate Joint Resolution No. 0343** -- Memorials, Sports -- Honors Rod Walker of Morristown-Hamblen High School West on establishing new national high school career home run record.

**Senate Joint Resolution No. 0345** -- Memorials, Personal Occasion -- Honors Archie D. Yawn, Sr., on fortieth anniversary at Northwest Airlines.

**MESSAGE FROM THE SENATE**  
**May 23, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 99, 468, 727, 778, 1017 and 1293; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**Senate Bill No. 0099** -- Welfare -- Extends AFDC eligibility to certain eighteen year olds. Amends TCA 71-3-103.

**\*Senate Bill No. 0468** -- State Employees -- Defines employees of certain non-profit corporations as state employees for inclusion in state group insurance plan. Amends TCA 8-27-201.

**\*Senate Bill No. 0727** -- Hospitals and Health Care Facilities -- Decreases time for deferral for clarification of certificate of need applications. Amends TCA, Title 68, Ch. 11.

**\*Senate Bill No. 0778** -- Divorce and Annulment -- Grants courts power to decide if property settlement sufficient and equitable in divorce decree for irreconcilable differences. Amends TCA 34-1-101; Title 36, Ch. 4, 36-5-101.

**\*Senate Bill No. 1017** -- Equalization Board -- Eliminates posting notice by board of persons applying for change. Amends TCA, Title 67, Ch. 5, Pt. 14.

**Senate Bill No. 1293** -- Hospitals and Health Care Facilities -- Prohibits cap on laundry services for nursing home patients. Amends TCA, Title 71, Ch. 5, Pt. 1.

**REPORT OF CHIEF ENGROSSING CLERK**  
**May 23, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 83, 122, 376, 388, 449, 467, 497, 591, 592, 618, 643, 684, 696, 1046, 1053, 1162, 1164, 1187, 1225, 1285, 1352, 1370, 1467, 1532 and 1533; and House Joint Resolution(s) No(s). 185, 187,

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384, 385, 388, 389, 391, 392, 393, 395, 396, 397, 398, 399, 400, 403 and 404; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 23, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 466, 1210 and 1524; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

May 23, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1251; substituted for Senate Bill(s) on same subject(s); amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE GOVERNOR

May 23, 1989

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill(s) No(s). 1422, with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

MESSAGE FROM THE SENATE

May 23, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 262, 358 and 360; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

\*Senate Joint Resolution No. 0262 -- Highway Signs -- Provides for signs for Methodist Hospital North in Memphis.

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**Senate Joint Resolution No. 0358** -- Naming and Designating -- Designates "Tall Betsy" as official Halloween goblin of Bradley County.

**Senate Joint Resolution No. 0360** -- Memorials, Congratulations -- Honors 150th anniversary of First Centenary United Methodist Church.

**MESSAGE FROM THE SENATE**

**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 919; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 358; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 35; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 23, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1311; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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**ENROLLED BILLS**

**May 23, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills(s) No(s). 162, 443, 466, 468, 919, 1096, 1111, 1129, 1170, 1210, 1272, 1338, 1524, 1537, 1539 and 1540; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

**May 23, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 20, 276, 699, 809, 829, 861, 878, 970, 1436, 1511, 1531, 1535, 1536 and 1538; House Resolution(s) No(s). 62, 63 and 64; and House Joint Resolution(s) No(s). 401 and 402; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

**May 23, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 405, 407, 408, 410, 411, 412, 413, 415, 417, 418, 425 and 427; and House Resolution(s) No(s). 69; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**

**May 23, 1989**

The Speaker announced that he had signed the following: House Bill(s) No(s). 20, 276, 699, 809, 829, 861, 878, 970, 1436, 1511, 1531, 1535, 1536 and 1538; and House Joint Resolution(s) No(s). 401, 402, 405, 407, 408, 410, 411, 412, 413, 415, 417, 418, 425 and 427.

**MESSAGE FROM THE SENATE**

**May 23, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 103, 205, 206, 226, 227, 585, 589, 594, 666, 917,

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1348, 1504, 1505, 1519 and 1526; also, Senate Joint Resolution(s) No(s). 64, 78, 154, 176 and 232; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**  
**May 23, 1989**

The Speaker announced that he had signed the following: House Resolution(s) No(s). 62, 63, 64 and 69.

**MESSAGE FROM THE SENATE**  
**May 24, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 107, 537, 538, 580, 927, 1036, 1057, 1126, 1404 and 1565; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Bill No. 0107 -- Boards and Commissions --** Phases out medical laboratory advisory committee; creates medical laboratory board"; transfers certain regulatory powers from department to board. Amends TCA, Title 68, Ch. 29.

**\*Senate Bill No. 0537 -- Taxes, Litigation --** Increases litigation privilege taxes for civil suits and certain criminal cases. Amends TCA, Title 40, Ch. 14, Pt. 2; Title 67, Ch. 4, Pt. 6.

**\*Senate Bill No. 0538 -- DUI/DWI Offenses --** Increases penalty for certain violations for DUI.

**\*Senate Bill No. 0580 -- Sunset Laws --** Accelerates termination of health facilities commission. Amends TCA, Title 4, Ch. 29, Pt. 2.

**\*Senate Bill No. 0927 -- Alcoholic Beverages --** Authorizes certain licensees to post certificate of deposit instead of bond; removes surety requirement for certain licensees. Amends TCA, Title 57, Ch. 4.

**\*Senate Bill No. 1036 -- County Officers --** Raises salaries of certain county officers and clerks of courts. Amends TCA 8-24-102.

**\*Senate Bill No. 1057 -- Public Defenders --** Creates statewide public defender system except in Davidson and Shelby counties. Amends TCA, Title 8, Ch. 14.

**\*Senate Bill No. 1126 -- Taxes, Assessment --** Revises provisions on property reappraisals. Amends TCA, Title 67.

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**\*Senate Bill No. 1404 -- Public Buildings -- Provides for transfer of certain state property.**

**Senate Bill No. 1565 -- Trenton -- Revises certain jurisdiction of municipal courts. Amends Chapter 551, Acts of 1903, as amended.**

#### **REPORTS OF STANDING COMMITTEES**

##### **FINANCE, WAYS AND MEANS**

**May 23, 1989**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 6 (as amended), 123 (as amended), 245 (as amended), 285 (as amended), 498, 602, 747, 801 (as amended), 803 (as amended), 866 (as amended), 882 (as amended), 986, 1122 and 1390 (as amended).

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 6 (as amended), 123 (as amended), 245 (as amended), 285 (as amended), 498, 602, 747, 801 (as amended), 803 (as amended), 866 (as amended), 882 (as amended), 986, 1122 and 1390 (as amended) was/were transmitted to the Committee on Calendar and Rules.

##### **FINANCE, WAYS AND MEANS**

**May 23, 1989**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bill No. 517 (as amended).

BRAGG, Chairman.

Under the rules, House Bill No. 517 (as amended) was transmitted to the Committee on Calendar and Rules.

##### **TRANSPORTATION**

**May 23, 1989**

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 150 (as amended), 268 (as amended), 333 (as amended), 411 (as amended), 546 (as amended), 585 (as amended), 715 (as amended), 908 (as amended) and 1480 (as amended); for adoption: House Joint Resolution No. 51 (as amended); and for concurrence: Senate Joint Resolution No. 152.

ROBINSON, Chairman.

Under the rules, House Bill(s) No(s). 150 (as amended), 268 (as amended), 333 (as amended), 411 (as amended), 546 (as amended), 585

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(as amended), 715 (as amended), 908 (as amended) and 1480 (as amended); House Joint Resolution No. 51 (as amended); and Senate Joint Resolution No. 152 was/were transmitted to the Committee on Calendar and Rules.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
May 23, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, May 24, 1989: House Bill(s) No(s). 594, 377, 257, 1321, 621, 735, 1016, 42, 226, 31, 207, 219, 1505, 1494, 741 and 113.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
May 23, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, May 25, 1989: House Bill(s) No(s). 115, 1054, 1534, 755, 813, 1451, 1265 and 1185; Senate Bill(s) No(s). 1144; House Resolution(s) No(s). 47; House Joint Resolution(s) No(s). 390, 109, 234, 334 and 350; Senate Joint Resolution(s) No(s). 101 and 198; House Bill(s) No(s). 428 and 754; and Senate Joint Resolution(s) No(s). 175.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR  
May 23, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, May 25, 1989: House Bill(s) No(s). 520, 519 and 41; House Joint Resolution(s) No(s). 86; House Bill(s) No(s). 1255, 1267, 1328, 1191 and 1335; House Resolution(s) No(s). 15; House Joint Resolution(s) No(s). 38 and 316; and Senate Joint Resolution(s) No(s). 75.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
May 24, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, May 24, 1989: House Bill(s) No(s). 517, 518 and 1523.

PHILLIPS, Chairman.

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**REPORT OF COMMITTEE ON CALENDAR AND RULES**  
**May 24, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, May 25, 1989: House Joint Resolution(s) No(s). 173; House Bill(s) No(s). 498, 150, 268, 333, 411, 546, 585, 715, 908 and 1480; House Joint Resolution(s) No(s). 51; Senate Joint Resolution(s) No(s). 152; and House Bill(s) No(s). 815, 6, 245, 875, 611, 1390, 602, 54, 285, 123, 747, 986, 183, 1283, 866, 801, 803, 882, 1068 and 1515; House Joint Resolution(s) No(s). 378; House Bill(s) No(s). 487; and House Joint Resolution(s) No(s). 284.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**  
**CONSENT CALENDAR**  
**May 24, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, May 25, 1989: House Bill(s) No(s). 1292; and Senate Joint Resolution(s) No(s). 173.

PHILLIPS, Chairman.

**RULES SUSPENDED**

Rep. Naifeh moved that we suspend Rule No. 12 so that the Consent Calendar may be taken up as the first order of business under "Calendars", which motion prevailed.

**RULES SUSPENDED**

Rep. Naifeh moved that we suspend Rule No. 12 so that the Message Calendar may be taken up as the second order of business under "Calendars", which motion prevailed.

**RULES SUSPENDED**

Rep. Naifeh moved to suspend Rule No. 17 so that all congratulatory and memorializing resolutions, both House and Senate, filed today, can be introduced and placed on a special consent calendar for today, which motion prevailed.

Rep. Naifeh further moved to suspend Rule No. 12 so that the special consent calendar can be taken up immediately after the order of business "Reports from Select Committees", which motion prevailed.



**RULES SUSPENDED**

Rep. Naifeh moved to suspend Rule No. 12 so that the Regular Calendar may be taken up as the third order of business under "Calendars", which motion prevailed.

**RULES SUSPENDED**

Rep. Phillips moved to suspend Rule No. 49, relative to the number of bills on the Calendars so that we may place more than 50 bills on the Calendars for Wednesday and Thursday, which motion prevailed.

**RULES SUSPENDED**

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 464 out of order, which motion prevailed.

**House Joint Resolution No. 0464 -- General Assembly, Adjournment, Recess -- Adjourns 96th General Assembly on May 25, 1989. by \*Naifeh, \*Chiles.**

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, the resolution was adopted by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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**CONSENT CALENDAR**

**House Resolution No. 0066 --** Memorials, Retirement -- Honors Alma Neal on retirement from Memphis City school system.

**\*House Bill No. 1472 --** Oneida -- Provides for bond issue and funding tax in Oneida special school district.

On motion, House Bill No. 1472 was made to conform with Senate Bill No. 1490.

On motion, **Senate Bill No. 1490**, on same subject was substituted for House Bill No. 1472.

**House Bill No. 1542 --** Sevier County -- Authorizes county executive to ban open burning.

**House Bill No. 1543 --** Bradley County -- Removes approval requirement of road superintendent before making road department purchases. Amends Chapter 354, Private Acts of 1947, as amended.

**House Bill No. 1544 --** Red Boiling Springs -- Revises charter. Amends Chapter 120, Private Acts of 1953, as amended.

**House Bill No. 1545 --** Roane County -- Enacts hotel/motel tax.

**House Bill No. 1546 --** Dekalb County -- Establishes court administered safety program.

**House Bill No. 1547 --** Putnam County -- Abolishes county highway commission; creates office of county road supervisor. Repeals Chapter 609, Private Acts of 1951, as amended.

**Senate Joint Resolution No. 0294 --** Memorials, Public Service -- Honors George C. Jones for service to community.

**Senate Joint Resolution No. 0295 --** Memorials, Condolence -- Honors memory of James Andy Carr of Blount County.

**Senate Joint Resolution No. 0296 --** Memorials, Personal Achievement -- Congratulates valedictorians of 28th Senatorial district.

**Senate Joint Resolution No. 0298 --** Memorials, Public Service -- Honors Mervin Pregulman for his many contributions to Chattanooga and Tennessee.

**Senate Joint Resolution No. 0299 --** Memorials, Congratulations -- Honors Harrison Elementary School on fiftieth anniversary.

**Senate Joint Resolution No. 0339 --** Memorials, Retirement -- Honors Norman Anderson on retirement.

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**Senate Joint Resolution No. 0340** -- Memorials, Congratulations -- Honors Nashville Electric Service on 50th Anniversary.

**Senate Joint Resolution No. 0341** -- Memorials, Personal Occasion -- Honors Mr. and Mrs. Charles Wimberly on 40th wedding anniversary.

**Senate Joint Resolution No. 0344** -- Memorials, Recognition and Thanks -- Honors Anthony Cappiello.

**House Resolution No. 0067** -- Memorials, Professional Achievement -- Honors Kay Haglin Womack for being named Marketer of the Year.

**House Resolution No. 0068** -- Memorials, Public Service -- Honors Delta Sigma Theta Sorority, sponsors of Black Family Achievement Awards.

**House Resolution No. 0070** -- Memorials, Professional Achievement -- Honors Tennessee Highway Patrolman Scott White, Jr. as Officer of the Year.

**House Joint Resolution No. 0428** -- Memorials, Interns and Pages -- Honors Andrew Dowdle, 1989 legislative intern.

**House Joint Resolution No. 0429** -- Memorials, Congratulations -- Honors York Institute on selection as school of excellence.

**House Joint Resolution No. 0430** -- Memorials, Personal Achievement -- Honors Betty Chipman on receipt of FOP's Woman of the Year Award.

**House Joint Resolution No. 0431** -- Memorials, Congratulations -- Congratulates West View Middle School on being named one of Tennessee's "Ten Great Schools".

**House Joint Resolution No. 0432** -- Memorials, Sports -- Honors Coach Woody Hunt and Cumberland University baseball team.

**House Joint Resolution No. 0433** -- Memorials, Congratulations -- Congratulates Brian Younce.

**House Joint Resolution No. 0434** -- Memorials, Interns and Pages -- Honors Beverly D. Becton, 1989 legislative intern.

**House Joint Resolution No. 0435** -- Memorials, Congratulations -- Honors First Baptist Church of Lewisburg on centennial celebration.

**House Joint Resolution No. 0436** -- Memorials, Public Service -- Honors George W. McCoy on lifetime of service.

**House Joint Resolution No. 0437** -- Memorials, Personal Achievement -- Congratulates Paula Marie Wolfe, 1989 valedictorian of Hancock County High School.

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**House Joint Resolution No. 0438 --** Memorials, Sports -- Honors Coach John McNeal and Friendship High School girls' softball team.

**House Joint Resolution No. 0439 --** Memorials, Personal Achievement -- Honors Melissa Dawn Burchett, 1989 Salutatorian of Hancock County High School.

**House Joint Resolution No. 0440 --** Memorials, Sports -- Honors Coach Woody Hunt and Cumberland University baseball team.

**House Joint Resolution No. 0441 --** Memorials, Recognition and Thanks -- Honors noted Lebanon resident Christopher Gentry Crowell.

**House Joint Resolution No. 0442 --** Memorials, Recognition and Thanks -- Honors Dr. David Jones, for twenty-five years of service in the ministry.

**House Joint Resolution No. 0443 --** Memorials, Interns and Pages -- Honors Kristin Elliott Chamberlin, 1989 legislative intern.

**House Joint Resolution No. 0444 --** Memorials, Congratulations -- Congratulates Little People's Academy on 1989 graduation.

**House Joint Resolution No. 0446 --** Memorials, Sports -- Congratulates Coach Sam Smith and Whites Creek girls' track team.

**House Joint Resolution No. 0447 --** Memorials, Sports -- Honors Coach Scott Hawley and Friendship Christian High School boys' baseball team.

**House Joint Resolution No. 0448 --** Memorials, Public Service -- Honors Claude Smith, 1989 Man of the Year.

**House Joint Resolution No. 0449 --** Memorials, Personal Achievement -- Honors George Deadman on being named 1988 Man of the Year in Gibson County.

**House Joint Resolution No. 0450 --** Memorials, Personal Achievement -- Honors Najanna Coleman on being selected 1989 Woman of the Year in Gibson County.

**House Joint Resolution No. 0451 --** Memorials, Personal Achievement -- Honors Lucille Hazlewood on selection as 1988 Woman of the Year in Columbia.

**House Joint Resolution No. 0452 --** Memorials, Public Service -- Honors Pat Stansberry of Zeta Video Studios for New Breed Seminars.

**House Joint Resolution No. 0454 --** Memorials, Condolence -- Expresses sorrow at death of John Cummings "Buddy" Houts, Jr. of Chattanooga.

**Senate Joint Resolution No. 0300 --** Memorials, Interns and Pages -- Commends Daniel N. Guinle, 1989 legislative intern.

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**Senate Joint Resolution No. 0301** -- Memorials, Interns and Pages -- Commends Lisa Carol Warren, 1989 legislative intern.

**Senate Joint Resolution No. 0302** -- Memorials, Personal Occasion -- Honors Mr. and Mrs. J. B. Neely on fiftieth wedding anniversary.

**Senate Joint Resolution No. 0303** -- Memorials, Recognition and Thanks -- Expresses appreciation to Judge Haywood Barry for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0304** -- Memorials, Recognition and Thanks -- Expresses appreciation to Judge Barbara N. Haynes for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0305** -- Memorials, Recognition and Thanks -- Expresses appreciation to Ronald Bishop for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0306** -- Memorials, Recognition and Thanks -- Expresses appreciation to Judge Leon Burns for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0307** -- Memorials, Recognition and Thanks -- Expresses appreciation to Attorney General Charles W. Burson for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0308** -- Memorials, Recognition and Thanks -- Expresses appreciation to Professor Neil Cohen for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0309** -- Memorials, Recognition and Thanks -- Expresses appreciation to John Rucker for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0310** -- Memorials, Recognition and Thanks -- Expresses appreciation to Jerry Summers for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0311** -- Memorials, Recognition and Thanks -- Expresses appreciation to David Louis Raybin for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0312** -- Memorials, Recognition and Thanks -- Expresses appreciation to Mike Murphy for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0313** -- Memorials, Recognition and Thanks -- Expresses appreciation to Edgar F. Patterson for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0314** -- Memorials, Recognition and Thanks -- Expresses appreciation to Robert L. Simms for work on the Tennessee Sentencing Commission.

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**Senate Joint Resolution No. 0315** -- Memorials, Recognition and Thanks -- Expresses appreciation to General Hugh Stanton for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0316** -- Memorials, Recognition and Thanks -- Expresses appreciation to Representative Frank Buck for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0317** -- Memorials, Recognition and Thanks -- Expresses appreciation to Professor Donald J. Hall for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0318** -- Memorials, Recognition and Thanks -- Expresses appreciation to former Attorney General W. J. Michael Cody for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0319** -- Memorials, Recognition and Thanks -- Expresses appreciation to Charles M. Traughber for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0320** -- Memorials, Recognition and Thanks -- Expresses appreciation to General Jerry Woodall for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0321** -- Memorials, Recognition and Thanks -- Expresses appreciation to Judge John Byers for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0322** -- Memorials, Recognition and Thanks -- Expresses appreciation to Representative Jimmy Kyle Davis for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0323** -- Memorials, Recognition and Thanks -- Expresses appreciation to Mahailiah Hughes for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0324** -- Memorials, Recognition and Thanks -- Expresses appreciation to Curtis Person for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0325** -- Memorials, Recognition and Thanks -- Expresses appreciation to General J. William Pope for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0326** -- Memorials, Recognition and Thanks -- Expresses appreciation to Jerry L. Smith for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0327** -- Memorials, Recognition and Thanks -- Expresses appreciation to James Clodfelter for work on the Tennessee Sentencing Commission.

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**Senate Joint Resolution No. 0328** -- Memorials, Recognition and Thanks -- Expresses appreciation to Judge William H. Williams for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0329** -- Memorials, Recognition and Thanks -- Expresses appreciation to Thomas Tigue for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0330** -- Memorials, Recognition and Thanks -- Expresses appreciation to Nathan Ridley for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0331** -- Memorials, Recognition and Thanks -- Expresses appreciation to Judge Thomas Shriver for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0332** -- Memorials, Recognition and Thanks -- Expresses appreciation to Nevin Trammell for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0333** -- Memorials, Recognition and Thanks -- Expresses appreciation to Stephen H. Norris for work on the Tennessee Sentencing Commission.

**Senate Joint Resolution No. 0334** -- Memorials, Recognition and Thanks -- Commends Waste Management, Inc. on recycling efforts.

**Senate Joint Resolution No. 0335** -- Memorials, Interns and Pages -- Commends Anne Hamer, 1989 legislative intern.

**Senate Joint Resolution No. 0336** -- Memorials, Interns and Pages -- Honors Bonnye Belle Peel, 1989 legislative intern.

**Senate Joint Resolution No. 0337** -- Memorials, Condolence -- Honors memory of Ms. Mildred Doyle, of Knox County.

**Senate Joint Resolution No. 0338** -- Memorials, Recognition and Thanks -- Honors Frank Mullinax, President of Tennessee Claims Association.

**Senate Joint Resolution No. 0348** -- Memorials, Recognition and Thanks -- Honors Dr. John Edward Cox.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

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Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

#### MESSAGE CALENDAR

#### HOUSE ACTION ON SENATE AMENDMENTS

\*House Bill No. 0197 -- Financial Disclosure -- Enacts "Registry of Election Finance Act of 1989". Amends TCA, Title 2, Chs. 10, 11; Title 3, Ch. 6; Title 8, Ch. 50, Pt. 5.

#### Senate Amendment No. 1

AMEND House Bill No. 197 by adding to Section 3(a) between the third and fourth sentences the following:

A member shall have been a legal resident of this state for five (5) years immediately preceding selection.

AND FURTHER AMEND by adding at the end of Section 3 the following:

(h) No member of the registry of election finance shall during his or her tenure:

(1) Be allowed to hold or qualify for elective office to any state or local public office as defined by Tennessee Code Annotated, Section 2-10-102;

(2) Be an officer of any political party or political committee;

(3) Permit his or her name to be used, or make contributions, in support of or in opposition to any candidate or propositions;



(4) Participate in any way in any election campaign; or

(5) Lobby, or employ or assist a lobbyist.

(i) The prohibitions of subsection (h) shall not prohibit any incumbent member of the registry of election finance from seeking votes for re-election to the registry.

(j) The provisions of subsection (h) shall be applicable for one (1) year subsequent to the removal, vacancy or termination of the term of office of a member of the registry of election finance.

(k) Any member of the registry who violates the oath of office for such position or participates in any of the activities prohibited by this act shall upon conviction be guilty of a misdemeanor, and such violation or participation shall be a ground for removal from office.

#### Senate Amendment No. 2

AMEND House Bill No. 197 by deleting from Section 19(a)(1), subdivision (A) and by substituting instead the following:

(A) For local public offices, the registrar shall, have personally served upon, or send by return receipt requested mail, an assessment letter to any candidate or committee upon the registrar's discovery that a due report has not been filed. A civil penalty of twenty-five dollars (\$25) a day shall begin to accrue five (5) business days after personal service or receipt of the letter and will continue to accrue until the report is filed or for thirty (30) days, whichever occurs first.

AND FURTHER AMEND by deleting from Section 19(a)(1), subdivision (E) and by substituting instead the following:

(E) For state public offices, the registry of election finance shall, have personally served upon, or send by return receipt requested mail, an assessment letter to any candidate or committee upon the registry or its appropriate staff discovering that a due report has not been filed. A civil penalty of twenty-five dollars (\$25) a day shall begin to accrue five (5) business days after personal service or receipt of the letter and will continue to accrue until the report is filed or for thirty (30) days, whichever occurs first.

#### Senate Amendment No. 3

Amend House Bill No. 197 by adding the following to the end of Section 19(a)(1)(F):

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If a disclosure report is returned to a candidate or committee for correction, a copy of the original shall be retained on file until the corrected report is returned to the registry of election finance. If the original filing was in compliance with the intent of the law and minor errors are corrected within the date set for a response, no penalty shall be assessed.

**Senate Amendment No. 4**

Amend House Bill No. 197 by adding the following as a new section to immediately precede the effective date section and by renumbering the effective date section accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

( ) Tennessee registry of election finance, created by Section 3 of this act;

**Senate Amendment No. 5**

AMEND House Bill No. 197 by deleting in the amendatory language of Section 3(c)(2) the language "each of the statewide political parties represented in the senate" and by substituting instead the language "the Senate Democratic Caucus and one (1) member to be chosen by the members of the Senate Republican Caucus".

AND FURTHER AMEND by deleting in the amendatory language of Section 3(c)(3) the language "each of the statewide political parties represented in the house" and by substituting instead the language "the House Democratic Caucus and one (1) member to be chosen by the members of the House Republican Caucus".

**Senate Amendment No. 12**

AMEND House Bill No. 197 in Section 13(h) by deleting the following language:

During the period beginning at midnight of the tenth day prior to a primary election and extending through midnight of primary election day, and during the period beginning at midnight of the tenth day prior to a general election and extending through midnight of general election day,

and substituting instead the following language:

During the period beginning at midnight of the tenth day prior to a primary, general, runoff, or special election or a referendum and extending through midnight of such election or referendum day,

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**Senate Amendment No. 13**

AMEND House Bill No. 197 in Section 12 by adding after the language "registry of election finance" the following:

"or the county election commission, whichever is required by Tennessee Code Annotated, Section 2-10-105(a) and (b)."

AND FURTHER AMEND in Section 13(h) and 13(h)(2) by adding after the language "registry of election finance" the following:

"or the county election commission, whichever is required by Tennessee Code Annotated, Section 2-10-105(a) and (b)."

AND FURTHER AMEND in Section 14 by adding after the language "registry of election finance" the following:

"or the county election commission, whichever is required by Tennessee Code Annotated, Section 2-10-105(a) and (b)."

**Senate Amendment No. 14**

AMEND House Bill No. 197 by deleting from Section 19(a)(1)(E) in the first sentence the word "commission" and by substituting instead the word "registry".

AND FURTHER AMEND in Section 19(a)(1)(F) by deleting the word "other" in the first line.

AND FURTHER AMEND by deleting from Section 19(a)(1)(F) in the sixth line the word "or" and by substituting instead the word "of".

**Senate Amendment No. 15**

AMEND House Bill No. 197 by deleting Section 3 subsection (g) in its entirety and by substituting instead the following:

(g) The members of the registry shall receive no compensation; provided however, each member of the registry shall be eligible for reimbursement for expenses and mileage in accordance with the regulations promulgated by the commissioner of finance and administration and approved by the attorney general.

**Senate Amendment No. 18**

Amend House Bill No. 197 by deleting from the second sentence of Section 6, subdivision (7), the word "shall" and by substituting instead the word "may".

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**Senate Amendment No. 35**

Amend House Bill No. 197 by adding the following new sections before the severability section and by renumbering the subsequent sections accordingly:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 2-10-112, is amended by deleting the section in its entirety.

SECTION \_\_\_\_ Tennessee Code Annotated, Section 2-10-107(a)(2), is amended by deleting Subdivision (B) in its entirety and by relettering the subsequent subdivision accordingly.

**Senate Amendment No. 36**

AMEND House Bill No. 197 by deleting the amendatory language of Section 3(b) in its entirety, and by substituting instead the following:

(b)(1) For administrative purposes, the registry shall be attached to the department of state for all administrative matters relating to receipts, disbursements, expense accounts, budget, audit, and other related items. The autonomy of the registry and its authority are not affected hereby and the secretary of state shall have no administrative or supervisory control over the registry.

(2) No person performing staff duties for the registry of election finance, including the executive director, shall during the period of his or her employment:

(A) Be allowed to hold or qualify for elective office to any state or local public office as defined by Tennessee Code Annotated, Section 2-10-102;

(B) Be an officer of any political party or political committee;

(C) Permit his or her name to be used, or make contributions, in support of or in opposition to any candidate or propositions;

(D) Participate in any way in any election campaign; or

(E) Lobby, or employ or assist a lobbyist; provided, however, that this provision on lobbying shall not prohibit the executive director from the performance of his duties.

AND FURTHER AMEND by deleting the amendatory language of

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Section 4 in its entirety, and by substituting instead the following:

**SECTION 4.** The coordinator of elections shall serve as the executive director of the registry.

**Senate Amendment No. 37**

AMEND House Bill No. 197 by deleting the words and figures "five thousand dollars (\$5,000)" in amendatory subdivision (h)(1)(A) of Section 13, as amended, and substituting instead the words and figures "ten thousand dollars (\$10,000)".

AND FURTHER AMEND Section 13 by deleting from subdivision (h)(2) of the amendatory language of Section 13 the words and figures "forty-eight (48) hours" and substituting instead the words and figures "seventy-two (72) hours".

**Senate Amendment No. 38**

Amend House Bill No. 197 by deleting Sections 28, 29, and 30 of the printed bill.

**Senate Amendment No. 40**

Amend House Bill No. 197 by deleting the section immediately before the last section, as designated by House Amendment 5, which section reads as follows:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 8-50-501(a), is amended by adding the following appropriately numbered item:

( ) Any member of the communications media whose primary responsibility is the coverage of state government at the capital.

**Senate Amendment No. 41**

Amend House Bill No. 197 by deleting the words and figures "thirty-five (35) days after the date of the assessment letter" in subdivisions (a)(1)(B) and (a)(2) of the amendatory language of Section 19 of the printed bill and by substituting instead the words and figures "thirty (30) days after service of process or receipt of notice by registered or certified mail of an assessment".

Rep. Kisber moved that the House nonconcur in Senate Amendment(s) No(s). 1, 2, 3, 4, 5, 12, 13, 14, 15, 18, 35, 36, 37, 38, 40 and 41, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

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Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

**House Bill No. 0319 -- Business and Commerce -- Restricts termination, modification, or nonrenewal of franchise agreements.**

**Senate Amendment No. 3**

Amend House Bill No. 319 by deleting from subdivision (6)(D) of SECTION 2 the following words:

"and substantially related to the business conducted pursuant to the franchise"

**Senate Amendment No. 6**

Amend House Bill No. 319 by deleting from SECTION 5 the words and figures "one hundred eighty (180)" wherever they appear and substituting instead the words and figures "sixty (60)".

**Senate Amendment No. 10**

Amend House Bill No. 319 by deleting the period (.) at the end of subsection 3 of Section 2 of the bill and inserting in lieu thereof the following:

"where such person is the holder of a permit issued pursuant to Tennessee Code Annotated, Section 57-3-602".

**Senate Amendment No. 12**

Amend House Bill No. 319 by deleting from SECTION 5 the following sentence:

"If, within thirty (30) days, the franchisee provides written notice of its intent to contest the existence of good cause, the franchisor must obtain a declaration of a court of record that good cause exists prior to the effective date of termination."

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Rep. Rhinehart moved that the House concur in Senate Amendment(s) No(s). 3, 6, 10 and 12, which motion prevailed by the following vote:

Ayes. . . . .	72
Noes. . . . .	18
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duar, Ellis, Garrett, Givens, Gunnels, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Hillis, Hobbs, Holt, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Turner (Hamilton), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Mr. Speaker Murray -- 72.

Representatives voting no were: Chiles, Gaia, Good, Halteman, Henry (Putnam), Herron, Holcomb, Hubbard, McAfee, Niceley, Odom, Robinson (Washington), Stamps, Turner, C. (Shelby), Turner, L. (Shelby), West, Wolfe, Wood -- 18.

Representatives present and not voting were: Yelton -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 0409 -- Probate Law --** Requires executors to provide personal notice to creditors of deceased. Amends TCA, Title 30, Ch. 2.

**Senate Amendment No. 3**

AMEND House Bill No. 409 by deleting from Section 3 the language "fifteen (15) months" wherever it may appear and by substituting instead the language "twelve (12) months".

AND FURTHER AMEND by adding to the amendatory language of Section 3 in the second paragraph of subsection (a) between the second and third sentences the following language:

In such cases, the distributees of the estate shall be personally liable on a pro rata basis if the court finds the claim is proper and the creditor did not receive the appropriate notice.

AND FURTHER AMEND by deleting from Section 4 the language "fifteen (15) months" and by substituting instead the language "twelve (12) months".

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AND FURTHER AMEND by deleting from Section 9 the language "fifteen (15) months" and by substituting instead the language "twelve (12) months".

**Senate Amendment No. 4**

Amend House Bill No. 409 by inserting the following new section immediately before the effective date section and numbering the sections accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 30-2-601, is amended by deleting from subdivision (a)(2) the word "acknowledged".

Tennessee Code Annotated, Section 30-2-601, is further amended by deleting from subsections (b) and (c) the word "sworn" wherever it appears.

**Senate Amendment No. 5**

Amend House Bill No. 409 by adding the following as a new section immediately preceding the effective date section and by renumbering the subsequent section appropriately:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 30-2-602, is amended by adding the following to the end of the section:

At the clerk's discretion, any citation issued for the appearance of a personal representative pursuant to this section may be served by sending such citation by certified mail with return receipt to the personal representative's last known address.

Rep. C. Turner (Shelby) moved that the House concur in Senate Amendment(s) No(s). 3, 4 and 5, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley,



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Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on the motion to nonconcur in the Senate Amendments to House Bill No. 197 and have this statement entered in the Journal.

Rep. Gary Odom

#### MESSAGE CALENDAR, CONTINUED

#### HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 0589 -- Health and Environment, Dept. of -- Creates and designates membership of utility management review board. Amends TCA 7-82-701. Repeals TCA 7-82-707, 708.

#### Senate Amendment No. 1

AMEND House Bill No. 589 by adding the following new language to the amendatory language of SECTION 1:

Effective July 1, 1989, notwithstanding the provisions of any law to the contrary, the utility management review board created by this act is vested with authority over all utility districts established pursuant to the provisions of Tennessee Code Annotated, Title 7, Chapter 82.

AND FURTHER AMEND BY adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Rep. Bragg moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

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Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

**House Bill No. 0667** -- Bond Issues -- Grants power to metropolitan airport authorities to secure bonds with full faith and credit of municipality. Similar to \*SB 956. Amends TCA 42-4-109.

**Senate Amendment No. 1**

Amend House Bill No. 667 by deleting the following language from the bill:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than 287,700 nor more than 287,800 according to the 1980 federal census or any subsequent federal census.

Rep. West moved that the House nonconcur in Senate Amendment(s) No(s). 1, which motion prevailed.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to present not voting on the motion to concur in Senate Amendments to House Bill No. 319 and have this statement entered in the Journal.

Rep. Dave Coffey

**MESSAGE CALENDAR, CONTINUED**

**FURTHER ACTION ON HOUSE AMENDMENTS**

**\*Senate Bill No. 0747** -- Education -- Enacts the "Parent-Teacher Partnership Act of 1989". Amends TCA, Title 49, Ch. 6.

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Rep. Turner (Hamilton) moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1, 3 and 4 to Senate Bill No. 747, which motion prevailed.

**HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 0998 -- Day Care --** Reduces restaurant permit fees and reinspection fees for day care centers, group and family day care homes. Amends TCA, Title 68, Ch. 14; Title 71.

**Senate Amendment No. 2**

Amend House Bill No. 998 by adding the following language as a new section immediately preceding the effective date section and by renumbering subsequent sections accordingly:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 68-14-305, is amended by deleting the word "individual" and by substituting instead the word "person".

Rep. Turner (Hamilton) moved that the House concur in Senate Amendment(s) No(s). 2, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

**House Bill No. 1059 -- Equalization Board --** Authorizes nonowner taxpayers to make complaint before the county boards of equalization. Amends TCA, Title 67, Ch. 5.

Senate Amendment No. 1

Amend House Bill No. 1059 by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-1407, is amended by adding the following new subsection:

( ) Notwithstanding the provisions of this section to the contrary, in any county having a population of not less than 770,000 nor more than 780,000 according to the 1980 federal census or any subsequent federal census, any taxpayer, or owner of property subject to taxation in the state, shall have the right to make complaint before the county board of equalization on one (1) or more of the following grounds:

(1) The property under complaint has been erroneously classified or subclassified or erroneously assessed for purposes of taxation other than as provided in Tennessee Code Annotated, Section 67-5-212;

(2) The property under complaint has been assessed on the basis of an appraised value that is more than the basis of value provided for in part 6 of this chapter; and

(3) Property other than the property under complaint has been assessed on the basis of appraised values that are less than the basis of value provided for in part 6 of this chapter.

Any taxpayer, or owner, shall have the right to appear in person before any county board of equalization, or by an agent having written authorization, by an attorney, by an agent who is registered with the State Board of Equalization, or by any member of the taxpayer's, or owner's, immediate family. Any county board may permit written appearance and in that event, any subsequent appeal to the State Board of Equalization shall be limited to those grounds made by written appearance before the county board.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

SECTION 3. This act shall take effect on becoming a law, the public welfare requiring it.

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Rep. Williams moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 1131 -- Alcoholic Beverages --** Expands definition of "club" to include certain recreational clubs. Amends TCA 57-4-102.

**Senate Amendment No. 2**

Amend House Bill No. 1131 by deleting the last sentence of the amendatory language of Section 1(1)(C) which reads as follows:

The alcoholic beverage commission shall not issue a license to any for-profit recreational club which restricts membership based on race or religion.

and by substituting instead the following:

The alcoholic beverage commission shall not issue a license to any for-profit recreational club which restricts membership based on race or religion or sex. In any proceeding concerning a license denial or revocation under this subdivision, no quota or numerical percentage shall be used to establish proof of the prohibited discrimination among the club's membership.

**Senate Amendment No. 3**

Amend House Bill No. 1131 by adding at the end of Section 1 the following new language:

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Notwithstanding the provisions of Tennessee Code Annotated, Section 57-4-101(b) to the contrary, the provisions of this subdivision (C) shall not apply in any municipality which has not approved the sale of alcoholic beverages for consumption on the premises pursuant to Tennessee Code Annotated, Section 57-4-103.

**Senate Amendment No. 4**

Amend House Bill No. 1131 by adding the following language at the end of Section 1:

Section \_\_\_\_\_. The provisions of this subdivision shall only apply in counties having a population of not less than 287,700 nor more than 287,800 according to the 1980 federal census or any subsequent federal census.

Rep. Cain moved that the House nonconcur in Senate Amendment(s) No(s). 4, which motion prevailed.

Rep. Cain moved that the House concur in Senate Amendment(s) No(s). 2 and 3, which motion prevailed.

**House Bill No. 0213 -- Sunset Laws --** Extends termination date of joint underwriting association, board of directors. Amends TCA, Title 4, Ch. 29; Title 56, Ch. 33.

**Senate Amendment No. 1**

AMEND House Bill No. 213 by deleting Section 2 in its entirety and by substituting instead the following new section:

Section 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

( ) Joint underwriting association, board of directors, created by Section 56-33-109;

AND FURTHER AMEND by adding the following new section to immediately precede the effective date section:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 56-33-106, is amended by adding a new subsection thereto, as follows:

( ) The association shall prepare an annual written report to be delivered to the chairman of the house government operations committee, the chairman of the senate government operations committee, and the comptroller of the treasury by January 1 of each year. The report shall contain information regarding

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the association's transactions, condition, operations and affairs during the preceding year. Such report shall also contain information regarding any estimated tax liability of the association and any reserves set aside for such estimated tax liability.

Rep. King moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Shirley -- 1.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from present not voting to no on the motion to concur in Senate Amendments Nos. 2 and 3 to House Bill No. 1131 and have this statement entered in the Journal.

Rep. John Bragg

**MESSAGE CALENDAR, CONTINUED**

**HOUSE ACTION ON SENATE AMENDMENTS**

House Bill No. 0225 -- Sunset Laws -- Extends termination date of joint underwriting association stabilization reserve fund, board of directors. Amends TCA; Title 4, Ch. 29; Title 56, Ch. 33.

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Senate Amendment No. 1

AMEND House Bill No. 225 by deleting Section 2 in its entirety and by substituting instead the following new section:

Section 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

( ) Joint underwriting association stabilization reserve fund, board of directors, created by Section 56-33-106;

AND FURTHER AMEND by adding the following new section to immediately precede the effective date section:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 56-33-106, is amended by adding a new subsection thereto, as follows:

( ) The board of directors shall prepare an annual written report to be delivered to the chairman of the house government operations committee, the chairman of the senate government operations committee, and the comptroller of the treasury by January 1 of each year. The report shall contain information regarding the board's transactions, condition, operations and affairs during the preceding year. Such report shall also contain information regarding any estimated tax liability of the association and any reserves set aside for such estimated tax liability.

Rep. King moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C.



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(Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

**House Bill No. 0441** -- County Government -- Increases number of persons who may be appointed to serve on county board of public utilities. Amends TCA, Title 5, Ch. 16.

**Senate Amendment No. 2**

Amend House Bill No. 441 by adding at the end of Section 1 the following language:

Tennessee Code Annotated, Section 5-16-103(a), is further amended by adding the following language at the end of the subsection:

Provided, however, the county executive shall have the option of appointing a seven (7) person board only in any county having a population of not less than sixty-seven thousand three hundred (67,300) nor more than sixty-seven thousand four hundred (67,400) according to the 1980 federal census or any subsequent federal census.

Rep. Coffey moved that the House concur in Senate Amendment(s) No(s). 2, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY

**RULES SUSPENDED**

Rep. Clark moved to suspend Rule No. 59 for the immediate consideration of the Senate Message on House Bill No. 848, which motion prevailed.

**HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 0848 -- Abortion --** Revises appeal procedure under parental consent law. Amends TCA 37-10-304.

**Senate Amendment No. 2**

Amend House Bill No. 848 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 37-10-304(g), is amended by deleting the last sentence and by substituting the following:

For the purpose of expediting the appellate procedure under this section, the time requirements of this section may be reduced by the Tennessee supreme court pursuant to its rule making authority in order to ensure an expedited appeal. The decision of the circuit court shall be appealable to the Tennessee supreme court in an anonymous and expedited manner as provided by the rules of the Tennessee supreme court. Jurisdiction under this section will remain in the Tennessee supreme court notwithstanding the provision of any other statute or rule to the contrary.

Rep. Clark moved that the House concur in Senate Amendment(s) No(s). 2, which motion prevailed by the following vote:

Ayes. . . . .	86
Noes. . . . .	6

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 86.

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Representatives voting no were: Callicott, Chiles, Haun, McDaniel, Niceley, Robinson (Washington) -- 6.

A motion to reconsider was tabled.

#### MOTION TO SUSPEND RULES

**\*Senate Bill No. 1135** -- Financial Disclosure -- Revises threshold for certain reporting requirements. Amends TCA, Titles 2, 3, 8.

Rep. Herron moved to suspend rules for immediate consideration of the Senate Message on Senate Bill No. 1135.

Rep. Bivens objected and the motion failed by the following vote:

Ayes. . . . .	41
Noes. . . . .	53

Representatives voting aye were: Bragg, Byrd, Callicott, Clark, Coffey, Collier, Curlee, Gaia, Givens, Halteman, Hassell, Haun, Henry (Putnam), Herron, Holcomb, Hubbard, Jackson, Kernell, Kisber, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pinion, Purcell, Ridgeway, Robinson (Davidson), Scruggs, Severance, Stamps, Turner, C. (Shelby), West, Wheeler, Williams, Wix, Yelton, Mr. Speaker Murray -- 41.

Representatives voting no were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Cain, Chiles, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Good, Gunnels, Harrill, Hawkins, Head, Henry (Roane), Hillis, Hobbs, Holt, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Love, McDaniel, Moody, Niceley, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, Wolfe, Wood -- 53.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on the motion to concur in Senate Amendment No. 2 to House Bill No. 848 and have this statement entered in the Journal.

Rep. Dwight Henry

#### RULES SUSPENDED

Rep. Phillips moved to remove House Bills Nos. 519 and 520 from the Thursday, May 25, 1989, Consent Calendar and place them on today's Calendar immediately after the other budget bills, which motion prevailed.

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REGULAR CALENDAR

**\*House Bill No. 0518** -- Bond Issues -- Authorizes \$126 million bond issue for state facilities; cancels certain bonds.

On motion, House Bill No. 518 was made to conform with Senate Bill No. 1153.

On motion, **Senate Bill No. 1153**, on same subject, was substituted for House Bill No. 518.

Rep. Bragg moved that Senate Bill No. 1153 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 1523** -- Bond Issues -- Authorizes issuance of \$75 million in bonds for additional department of correction facilities.

On motion, House Bill No. 1523 was made to conform with Senate Bill No. 1543.

On motion, **Senate Bill No. 1543**, on same subject, was substituted for House Bill No. 1523.

Rep. Bragg moved that Senate Bill No. 1543 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

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Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 0519 -- Appropriations --** Authorizes growth in state appropriations which exceed rate of growth of economy for 1988-1989 fiscal year. Amends TCA, Title 9, Ch. 6, Pt. 2.

Rep. Bragg moved that House Bill No. 519 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 0520 -- Appropriations --** Authorizes growth in state appropriations which exceed rate of growth of economy for the 1989-1990 fiscal year. Amends TCA, Title 9, Ch. 6, Pt. 2.

WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY

Rep. Bragg moved that House Bill No. 520 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 520 by deleting Section 1 of the bill in its entirety and by substituting a new Section to read:

SECTION 1. Tennessee Code Annotated, Section 9-6-203, is amended by adding the following new subsection which reads as follows:

"The index of appropriations from state tax revenues for the 1989-90 fiscal year may exceed the index of estimated growth in the state's economy by \$74,000,000 or 1.59 percent."

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bragg moved that House Bill No. 520, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

\*House Bill No. 0517 -- Appropriations -- Makes appropriations to defray the expenses of state government for fiscal year beginning July 1, 1989.

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On motion, House Bill No. 517 was made to conform with Senate Bill No. 1154.

On motion, Senate Bill No. 1154, on same subject, was substituted for House Bill No. 517.

Rep. Bragg moved that Senate Bill No. 1154 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1154 by deleting each and every section of Senate Bill No. 1154 and by substituting instead new Sections 1 through 50, namely:

Sections 1 through 50 of House Bill No. 517 as introduced on February 6, 1989; printed and distributed as House Bill No 517; and considered to be a part of this amendment.

On motion, Amendment No. 1 was adopted.

Rep. Bragg moved to amend as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1154 by deleting Section 1, Title III-22, Item 14 which reads:

14. State Employees' Compensation 1,500,000.00

and by substituting instead the following:

14. State Employees' Compensation 2,000,000.00

and by adjusting all resultant subtotals and totals accordingly.

AND FURTHER AMEND by adding the following new items at the end of the original Section 10:

Item \_\_\_\_\_. Out of the automation appropriation made in Section 1, Title III-22, Item 15, there is appropriated the sum of three hundred eighty-nine thousand dollars (\$389,000) to the general assembly for the purpose of providing computer technology necessary for the 1990 reapportionment. Such funds shall be allocated and expended in accordance with the approval of the speaker of the senate and the speaker of the house of representatives.

Item \_\_\_\_\_. From the funds appropriated by the provisions of this act to the department of conservation, there is earmarked the sum of one thousand seven hundred fifty dollars (\$1,750) for the sole purpose of implementing Senate Joint Resolution 74 relative to the route of General Hood. This appropriation shall have no effect unless Senate Joint Resolution 74 is passed.

Item \_\_\_\_\_. From the funds appropriated by the provisions of this act to the department of agriculture, there is earmarked the sum of fifty thousand dollars (\$50,000) to complete a USDA match requirement for a statewide equine census and survey. The appropriation made in this item is subject to the approval of the commissioner of finance and administration. The appropriation made in this item is further subject to the requirement that such funds be matched by the federal government.

Item \_\_\_\_\_. From the funds appropriated by the provisions of this act to the department of transportation, there is earmarked the sum of fifteen thousand dollars (\$15,000) to be allocated to the City of Covington for expenses incurred for overtime, additional personnel, and equipment due to the Hatchie River Bridge collapse.

Item \_\_\_\_\_. Notwithstanding any provisions of this act to the contrary, if the United States Congress appropriates funds to honor some or all of Tennessee's prior-year claims for federal Title IV(e) funds, or if the availability of federal Title IV(e) funds is otherwise generally increased, then an amount, equal to fifty percent (50%) of all such additional federal Title IV(e) funds received not to exceed six hundred thousand dollars (\$600,000), is hereby appropriated to the department of human services for the purpose of:

- (1) Supporting community based prevention and reunification services for children, youth, and their families which services are capable of reducing admissions into, and reducing the length of stay within, out-of-home placements; and

- (2) Providing a continuum of services for children, youth, and their families which services are capable of reducing admissions into, and reducing the length of stay within, out-of-home placements.

Acting in consultation with the commissioners of education, health and environment, mental health and mental retardation, and youth development, the commissioner of human services shall establish a plan for the expenditure of any funds appropriated to the department pursuant to the provisions of this item and shall present such plan to the finance, ways, and means committee of the senate and to the



finance, ways, and means committee of the house of representatives prior to the expenditure of any such funds.

Item \_\_\_\_\_. From the appropriation in Section 1 of this act, for the University of Tennessee System, there is hereby appropriated the sum of one hundred thousand dollars (\$100,000) to be used for:

(1) Hiring of a full-time apiculturist at the University of Tennessee Institute of Agriculture at the Knoxville campus for extension and applied research services;

(2) Immediate implementation of appropriate measures to eliminate or reduce the threat to the population of honeybees in the state of Tennessee posed by mite infestations, diseases, or other causes; and

(3) Initiation of a voluntary program for the certification of beekeepers whose demonstrated knowledge and skills would enable them to assist the university apiary programs, department of agriculture apiary programs, as well as assisting amateur beekeepers in this state.

The additional funds appropriated by this item shall not be used for any purposes other than those specified hereunder.

Item \_\_\_\_\_. Out of funds appropriated by the provisions of this act to the departments of tourism development and economic and community development for advertising or promoting the state, at least fifty thousand dollars (\$50,000) of such expenditures by each department shall be in minority media.

AND FURTHER AMEND by adding the following new items at the end of the original Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of education for the sole purpose of making a grant in such amount to the Oak Ridge Children's Museum. It is the legislative intention that the appropriation made in this item be nonrecurring.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Department of Conservation for the sole purpose of making a grant to the Parkwood Community Park in Davidson County. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of

finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Metropolitan Historical Commission for the sole purpose of making a grant for the renovation, repair, and maintenance of Historic Mansker Station in Davidson County. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thirty thousand three hundred dollars (\$230,300) to the department of revenue, franchise, excise, and income tax division, for the purpose of employing three (3) new Senior Auditors to be stationed in Chicago, Houston, and Atlanta, three (3) new Tax Auditors 3 to expand field audit operations in Memphis, Chattanooga, and Knoxville, and one (1) new Clerk 2 to assist in the Nashville field audit unit, together with necessary benefit, travel, communication, supplies and materials, and rental and insurance expenses. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Tennessee state museum for the sole purpose of the Tennessee state museum and the Smithsonian Institution co-sponsoring an exhibition on the life of Andrew Jackson with the National Portrait Gallery of the Smithsonian Institution which is to provide matching funds. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed eight hundred eighty thousand dollars (\$880,000) to the Obion-Forked Deer Basin Authority, subject to approval of the project and expenditures by the commissioner of finance and administration, for the purpose of funding the following schedule of bank stabilization project sites:

<u>Site Designations</u>	<u>Estimated Cost</u>
MSOR - 10.6 - R	\$200,000
NFOR - 3.9 - L	160,000
NFOR - 4.4 - L	160,000
MSFDR - 0.7 - L	240,000
SFFDR - 7.7 - L	120,000

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twelve thousand five hundred dollars (\$12,500) to the Lake County Historical Society for the purpose of continued preservation and restoration of the Carl Perkins historical home in Tiptonville. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety thousand dollars (\$90,000) to the Tennessee arts commission for the sole purpose of making a grant in such amount to the Lincoln County Art Museum. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of conservation for the sole purpose of making a grant in such amount to the McMinn County Living Heritage Museum provided that such funds are matched on a one-to-one basis. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the town of Chapel Hill for the sole purpose of providing lights for an outdoor recreation facility. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Boy's Club of Oak Ridge to fund sports programs which serve disadvantaged and minority youth provided that such funds are matched on a one-to-one basis. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Girl's Club of Oak Ridge to fund sports programs which serve disadvantaged and minority youth provided that such funds are matched on a one-to-one basis. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the city of Soddy-Daisy to construct and equip an all purpose community sports center to be located at Soddy-Daisy high school. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-five thousand dollars (\$35,000) to WSMS-FM radio station at Memphis State University for the purpose of funding the total cost of the purchase, modification, and installation of a new transmitter and to cover the usage costs of a new tower. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-eight thousand dollars (\$48,000) to be allocated to the Tennessee Council for the Hearing Impaired for the initial purchase of telephone devices for the deaf (TDD) units to be provided to the hearing impaired who meet a financial needs test. The Tennessee Council for the Hearing Impaired is authorized and directed to establish the needs test, to develop an appropriate mechanism for the initial purchase of such TDD units as funded hereunder, and to administer the program for the distribution of the units. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Union City and Obion County Museum. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-five thousand dollars (\$35,000) to the Loudon County Heritage Museum to provide funding for restoration of the Carmichael Inn and for restoration of a building for a library and county archives. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty thousand dollars (\$40,000) to the house of representatives for the purpose of replacing office

furniture used by members and staff of the house of representatives.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Laura Harlan-Mack Morris Foundation for the use of the Harlan-Morris Home for the Aged in Trenton. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-eight thousand dollars (\$38,000) to the Tennessee arts commission for the sole purpose of making a grant in such amount to the Jackson Arts Council to study and design a regional arts center in the City of Jackson. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand two hundred ninety-seven dollars (\$25,297) to the Tennessee Juvenile Justice Training Center in Jackson. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed two hundred forty thousand dollars (\$240,000) for the purpose funding human resource agencies in an amount of thirty thousand dollars (\$30,000) for each such agency.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the department of agriculture for the sole purpose of making a grant in such amount to the Tennessee Junior Shorthorn Association for the expenses of hosting the 1990 National Junior Shorthorn Heifer and Steer Show to be held at the Tennessee Livestock Center at Middle Tennessee State University. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the department of agriculture for the sole purpose of making a grant in such amount to the Tennessee Beef Agribition for the purpose of promotion and advancement of Tennessee's leading agricultural commodity - beef. The appropriation made in

this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of agriculture for the sole purpose of making a grant in such amount to be allocated equally between the 4-H and the Future Farmers of America to pay the expenses of hosting the Tennessee Junior Livestock Exposition. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the department of agriculture for the sole purpose of making a grant in such amount to the Chianina Association for the purpose of promoting and developing the chianina breed of cattle. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of tourist development for the sole purpose of making a grant in such amount to Historic Rugby, Inc. for implementing Historic Rugby's Second Century Campaign. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the commission on aging for the sole purpose of making a grant in such amount to the Retired Senior Volunteer Program (RSVP). Such funds shall be used by such program for expansion of services into other counties and/or areas to serve more elderly citizens.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed fifty thousand dollars (\$50,000) to the department of conservation to conduct a feasibility study for the privatization of a golf course at Cumberland Mountain State Park and such department is hereby directed to conduct such study. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of agriculture for the purpose of making a grant in such amount for the purchase of a cooler room and/or equipment for the hydrocooler vegetable project in Cannon County. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the State of Franklin Drama Association for the development of outdoor drama productions. Any unobligated or unexpended funds appropriated by the provisions of this item shall not revert at the end of any fiscal year but shall remain available until expended in accordance with the provisions of this item. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other appropriations made by this act, there is hereby appropriated the sum of thirteen thousand five hundred ninety six dollars (\$13,596) to the Tennessee State Museum for the purpose of employing one (1) additional Secretary II.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty thousand dollars (\$40,000) to the department of agriculture for the sole purpose of conducting a comprehensive survey of horticulture in this state. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty-five thousand dollars (\$65,000) to Hardeman County for the sole purpose of relocating the county fairgrounds. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty-seven thousand dollars (\$157,000) to the state department of education for the sole purpose of making a grant for the Knox County Drop-Out Task Force Program. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the Tennessee commission on children and youth for the expansion of the court appointed special advocate program. Such funds shall be distributed using jointly established guidelines of the Tennessee commission on children and youth and the Tennessee court appointed special advocate association.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of human services for the purpose of implementing the "One Church-One Child" Adoption Program. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to the department of human services for the sole purpose of making grants in such amount to be allocated equally between domestic violence programs and the Nashville Coalition on Child Abuse. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-six thousand dollars (\$76,000) to the City of Bristol for the purpose of completing Phase II of the Master Plan for development of Steele Creek Park to be allocated as follows:

Outdoor amphitheater	\$60,000
Paving lakeside trail	16,000

The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Rose Center in the City of Morristown to make renovations, repairs and general improvements at such center provided that such funds are matched on the basis of two dollars (\$2.00) of state funds for each one dollar (\$1.00) of local funds. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.



Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Tennessee Consolidated Retirement System the sum of three hundred forty-four thousand dollars (\$344,000) for the purpose of funding Senate Bill No. 1411 / House Bill No. 466. This appropriation shall take effect only if Senate Bill No. 1411 / House Bill No. 466 becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-four thousand five hundred dollars (\$24,500) to the City of Brownsville, subject to approval by the commissioner of finance and administration of plans submitted by the city of Brownsville for expenditure of these funds. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighteen thousand dollars (\$18,000) to the department of conservation for the sole purpose of making a grant in such amount to the West Haywood Community Center for the purpose of making repairs, renovations and general improvements at such center. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Heritage Museum in Erwin, Tennessee, for the sole purpose of making general improvements at such museum. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty-five thousand dollars (\$65,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Hands On Museum in Johnson City for program and project development. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of conservation for the sole purpose of making a grant in such amount to the Old Hickory Utility District of Davidson County to provide new drop ceilings in the community center

gymnasium building. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the Tennessee historical commission to be used for the renovation of the Frank G. Clement birthplace, and railroad hotel and museum. This appropriation shall be used for the following purposes:

- 1) Compilation and publication of an historical structures report;
- 2) Selection of a designer;
- 3) Selection of and contract with a museum design firm/consultant to prepare a museum development utilization plan; and
- 4) Related construction costs.

The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of agriculture for the sole purpose of making a grant in such amount to the Tennessee Walking Horse Breeders and Exhibitors Association for use in the futurity program of such association. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety-eight thousand five hundred fifty dollars (\$98,550) for the purpose of implementing Senate Bill No. 1443 / House Bill No. 1203, relative to creating a circuit judge position, if such bill becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one million dollars (\$1,000,000) to the department of human services to be allocated to extend AFDC and medicaid benefits to AFDC eligible children who are eighteen (18) years of age, who are full-time students in secondary schools or in the equivalent level of vocational or technical training, and who may be reasonably expected to complete such educational programs before reaching nineteen (19) years of age.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the department of human services for the sole purpose of expanding the homemaker services program. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the commission on aging for the sole purpose of expanding the homemaker services program. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the International Grand Championship Walking Horse Show to be held in August, 1989 at Middle Tennessee State University. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to Austin Peay State University for preplanning and the renovation of Harned Hall.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-six thousand dollars (\$26,000) to the department of health and environment for the sole purpose of making a grant in such amount to Meharry Medical College for the general practice dentistry program at such college. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Stewart County for the repair, renovation, and purchase of equipment, and for ball park lighting. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Houston County to be

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used for the purchase of equipment. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred sixteen thousand four hundred dollars (\$116,400) to the house of representatives for the purpose of adding new staff positions.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred seventy-seven thousand six hundred fifty dollars (\$277,650) to the University of Tennessee at Martin for the following improvements to the Agricultural Pavilion:

Portable stalling panels	\$158,400
Grading, graveling, lighting, and	57,750
Sound system	15,000
Fence ground warm-up area	5,000
Power supply boxes	6,500
Operational equipment	35,000

This appropriation shall be subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-one thousand fifty-five dollars (\$41,055) to the department of youth development to provide for a children's services field director and related support expenses for the development, coordination and support of volunteer and community services.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of agriculture for the Oscar L. Farris Museum to provide a program of education for fifth grade students on agricultural and rural life values.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of human services for the sole purpose of making a grant in such amount to the Michael Dunn Center to make renovations and improvements necessary to allow such center to provide comprehensive child care services. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-eight thousand dollars (\$48,000) to the Dyer County Levee and Drainage District No. 1. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the department of health and environment for the sole purpose of making a grant in such amount to the Alzheimer's Lakeway Program and Services day center in Hamblen County. The appropriation made in this item shall only take effect if such funds are matched on a one-for-one basis with private, local or federal funds. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety-nine thousand four hundred ten dollars (\$99,410) to fund the implementation of Senate Bill 1310 / House Bill 1404 creating the Tennessee Commodity Producer Indemnity Corporation. This appropriation shall have no effect unless Senate Bill 1310 / House Bill 1404 becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Holladay fire department for the purpose of purchasing a fire engine. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Conservation the sum of twenty-five thousand dollars (\$25,000) for the sole purpose of making a grant to the town of Dover for improvements at the Lick Creek Recreation Area. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the Clarksville/Montgomery County Historical Museum to be used for capital improvements and renovation of the museum. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

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Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the department of conservation for the sole purpose of purchasing additional land for a state natural area or state park at Port Royal.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighty-five thousand dollars (\$85,000) to the Memphis Minority Business Development Center. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred twenty-five thousand dollars (\$125,000) to the Nashville Minority Business Development Center. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to the Blues City Cultural Center, Memphis, Tennessee, to be used to defray expenses incurred by the center in performing anti-teen pregnancy, substance abuse, and illiteracy productions for children and youth across the state. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. The general assembly hereby acknowledges that if Senate Bill 927 / House Bill 1283 becomes law, its enactment will result in a loss of approximately one hundred thousand dollars (\$100,000) in funds to the state general fund. The provisions of this item shall only take effect if Senate Bill No. 927 / House Bill No. 1283 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the Cerebral Palsy Housing Corporation of Knox County. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred five thousand dollars (\$105,000) for the purpose of implementing Senate Bill No. 713 / House Bill No. 547, relative to providing community epilepsy education and support services to rural areas of the state, if such bill

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becomes a law. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of education for the sole purpose of making a grant in such amount to the Mary Walker Historical and Educational Foundation. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the following total amounts to the following entities:

Beech River Watershed Development Authority \$15,000

Sequatchie Valley Planning and Development Agency \$15,000

Elk River Development Agency \$15,000

Upper Duck River Development Agency \$15,000

The appropriations made in this item shall be inclusive of any other funds appropriated by the provisions of this act and it is the intention of the general assembly that each such agency or authority shall receive a total appropriation of fifteen thousand dollars (\$15,000).

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Save the Shell, Inc. for refurbishing the Raoul Wallenberg Shell in Overton Park in Memphis and for a series of volunteer state concerts featuring Tennessee Music and offered free to the public. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Memphis Food Bank (MIFA) for the purpose of paying the mortgage on MIFA's new food warehouse provided that such funds are matched on a one-to-one basis. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum

not to exceed twenty-five thousand dollars (\$25,000) to the department of human services from federal funds available pursuant to 7 U.S.C. 2020(e)(6)(E) to provide for training and assistance to persons working with volunteer or nonprofit organizations that provide program information activities or eligibility screening to persons potentially eligible for food stamps. The commissioner of finance and administration shall release such funds provided that they are matched on a one-for-one basis from private funds. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500) to the Henderson County sheriff's department for purchase and training of a narcotics dog for their drug enforcement division. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the department of conservation for the sole purpose of making a grant to Parkers' Cross Road for park renovation and upkeep. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of conservation for the sole purpose of making a grant in such amount to the Una Recreation Center in Davidson County to provide grandstands for their baseball and football fields. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to Spring City for improvements and repairs within the municipal park: such sum to be allocated to Spring City on a matching basis of one state dollar for each dollar generated locally from public or private sources. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Supreme Court for



the following purposes:

- 1) \$36,000 for two (2) additional court reporter positions in the 1st and 24th Judicial Districts;
- 2) \$14,000 for transcript fees, travel, supplies and equipment.

Item \_\_\_\_\_. In addition to the appropriations made in Section 1 of this act there is hereby appropriated the sum of eight hundred fifty thousand dollars (\$850,000) to the department of conservation for the purpose of making a grant to the Chickasaw Basin Authority for flood control projects. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred twenty thousand three hundred dollars (\$120,300) for the purpose of implementing Senate Bill No. 1271 / House Bill No. 1111, relative to creating an additional position of judge or chancellor for the fourteenth judicial district, if such bill becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed two hundred sixty thousand dollars (\$260,000) for the purpose of implementing Senate Bill No. 114 / House Bill No. 66, relative to creating a new district attorney general position and a new secretarial position in the thirty-first judicial district and providing for the transfer of two (2) assistant district attorneys general and one (1) criminal investigator from the fourteenth judicial district to the thirty-first district, if such bill becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of agriculture for the sole purpose of making a grant in such amount to the Van Buren County Fair Association for the purpose of rebuilding a fair barn. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty-five thousand dollars (\$55,000) to the Tennessee student assistance corporation for the purpose of implementing a minority teaching fellows program. Appropriation of the sum contained within this item shall be conditional upon enactment of Senate Bill 953 / House Bill 460.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred fifty thousand dollars (\$250,000) for Meharry Medical College from which sum the amount of one hundred fifty thousand dollars (\$150,000) shall be for research and treatment of sickle cell anemia and the amount of one hundred thousand dollars (\$100,000) shall be for the Institute on Health Care for the Poor and Underserved of such college. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of eight thousand dollars (\$8,000) to the Select Committee on Children and Youth to be used to defray administrative and travel expenses incurred by members of the Tennessee council of juvenile and family court judges who engage in the research and development of proposed criteria to govern judicial commitment of juveniles to state custody.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to Recording for the Blind in Oak Ridge for the production of recordings for textbooks for handicapped and blind persons. This appropriation shall be subject to the receipt of two dollars (\$2.00) in private funds by the organization of every one dollar (\$1.00) of state funds. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Tennessee Consolidated Retirement System the sum of one hundred seventy-six thousand dollars (\$176,000) representing estimated first year's funding costs for Senate Bill 355 / House Bill 276. This appropriation shall take effect only if Senate Bill 355 / House Bill 276 becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Tennessee Consolidated Retirement System the sum of nineteen thousand eight hundred dollars (\$19,800) representing estimated first year's funding costs for House Bill 468 / Senate Bill 950. The appropriation made herein shall take effect only if House Bill 468 / Senate Bill 950 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one thousand seven hundred dollars (\$1,700) to the

Tennessee Consolidated Retirement System for purposes of funding the benefits provided under Public Chapter \_\_\_ of 1989 (Senate Bill 453 / House Bill 277). The appropriation made herein shall take effect only if Senate Bill 453 / House Bill 277 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thousand dollars (\$200,000) to the city of Chattanooga subject to a match of three hundred thousand dollars (\$300,000) for a total approximate estimated project cost of one million one hundred sixty-eight thousand dollars (\$1,168,000) in other funds for the Tyner-East Brainerd Recreation Complex. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Macon County for the sole purpose of renovations and additions to the public library in the City of Lafayette. The appropriation made in this item is subject to the approval of the state library and archives management board. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed four hundred thousand dollars (\$400,000) to Roane State Community College for the purpose of providing the remaining funding necessary to construct a livestock pavilion at such college. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the Tennessee arts commission for the sole purpose of making a grant in such amount to the Blues City Cultural Center for the Performing and Visual Arts in Memphis. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to Shelby County for the administration of the FREE THE CHILDREN PROGRAM. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to Lewis County for the Lewis County Tomorrow Project to construct a civic center in Lewis County Park. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to Lawrence County for the Lawrence County Tomorrow Project to construct a unit to house ambulance and fire departments in the City of Loretto. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand hundred dollars (\$10,000) to Lawrence County for the Lawrence County Tomorrow Project to provide tennis courts for the community park in West Point, Tennessee. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of nine thousand dollars (\$9,000) to the Tennessee commission on children and youth to defray reasonable expenses incurred by the regional councils on children and youth in the performance of duties assigned by law to the regional councils.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the Carroll County Watershed Authority to complete preliminary studies and obtain data necessary to design and construct a flood control structure on the Beaver Creek Drainage Basin. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to be divided equally among the Algood library, Monterey library, Baxter library and the Putnam County library; provided that such funds are matched on the basis of one dollar (\$1.00) of local funds for each two dollars (2.00) of state funds.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum

of ten thousand dollars (\$10,000) to radio station WEVL in Memphis for the purchase of equipment. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred twenty-five thousand dollars (\$225,000) for the purchase and/or refurbishing of Lester School in the city of Memphis to create a health clinic under the supervision of Project Vision in the Binghampton section of Memphis. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the Tennessee Higher Education Commission to establish a competitive matching grant program to support pilot projects designed to expand the recruitment pool for minority teachers and to increase the likelihood of successful entry and completion of degree programs by minorities preparing to be teachers in grades K-12. Such program shall emphasize curriculum changes to enable students to progress qualitatively through the teacher education program in more successful ways. The programs may be developed jointly by a public or private higher education institution and a local school district. State community colleges shall also be eligible when jointly participating with an institution of higher education. Such projects shall target non-traditional groups including teacher aides, substitute teachers, post-high school students, community college students, non-degreed community residents, and college graduates presently not teaching who are interested in entering the teaching profession. Project initiatives shall include matching state appropriated funds with local funds and/or in-kind services. Annual renewal of the funding for each project will be contingent upon achieving specified performance benchmarks. Grants to institutions with a state-approved teacher education program shall not exceed seventy-five thousand dollars (\$75,000) annually. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Orange Mound Soup Kitchen in the city of Memphis to be used for food, personnel, and basic refurbishment to meet health codes. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-five thousand dollars (\$35,000) to the Institute for African and Caribbean Affairs to provide funds for preliminary activities on the Caribbean portion of the mission of the institute and for associated expenses of the board and related staff expenses. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-three thousand five hundred dollars (\$43,500) to support and encourage community based initiatives to prevent the occurrence of pregnancy among Tennessee's children aged ten (10) through seventeen (17) and to address the problems arising from parenthood by such children, such appropriation to be allocated in the following manner:

(a) Thirteen thousand five hundred dollars (\$13,500) to the interdepartmental committee, created by Tennessee Code Annotated, Section 37-3-111, to provide financial assistance to community based initiatives designated as model teenage pregnancy programs; provided, however, that appropriation of such thirteen thousand five hundred dollars (\$13,500) is contingent upon passage of Senate Bill 1146 / House Bill 823.

(b) Thirty thousand dollars (\$30,000) to the interdepartmental coordination council, created by Tennessee Code Annotated, Section 37-3-108, for implementation of the system of competitive grants to financially encourage and support creation of community-based programs and projects which seek to replicate components of teenage pregnancy programs designated as model programs pursuant to Tennessee Code Annotated, Section 37-3-111.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-three thousand dollars (\$23,000) to Knox County. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the Tipton-Haynes Historical Association for operational expenses in order to enable the Tipton-Haynes historical farm to be open all year. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the University of Tennessee at Chattanooga for the purpose of providing first year funding for the physical therapy program at that university. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) for the purpose of conducting a study on the feasibility of locating an agri-business center at Cleveland State Community College. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-two thousand dollars (\$22,000) for lighting and improvements at the Little League Park in Benton. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the Tennessee historical commission for the sole purpose of making improvements to the Nancy Ward Gravesite. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-five thousand dollars (\$45,000) to the Tennessee historical commission for the sole purpose of making improvements at the Fort Loudon State Historical Area. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-nine thousand nine hundred dollars (\$49,900) to the Department of Pediatrics, University of Tennessee Medical Center at Knoxville for the sole purpose of studying Autism and the effects of Ketamine or related drugs thereon.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Tennessee

historical commission for the sole purpose of the renovation and restoration of the historic Zion Cemetery located at the intersection of South Parkway and Pillow Street in the city of Memphis. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the Memphis Blues Foundation for the annual National Blues Foundation awards. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of human services for operating of the department's pilot day care programs in Davidson County. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the state senate for expenses of the ninety-sixth general assembly.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of six hundred four thousand five hundred dollars (\$604,500) to the general fund for the purpose of implementing the provisions of Senate Bill 319 - House Bill 986. This appropriation is effective only if Senate Bill 319 - House Bill 986 is enacted into law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-three thousand dollars (\$73,000) for the purpose of implementing Senate Bill No. 2 / House Bill No. 245, relative to health insurance for seasonal employees, if such bill becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Tennessee arts commission for the sole purpose of making a grant in such amount to the Arts Outreach Program in the City of Memphis. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum



of eighty thousand dollars (\$80,000) to the Beck Cultural Exchange Center, Knoxville, for museum administration and expansion of community educational services. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Goodwill Homes, Inc., of Memphis for the purpose of providing elderly day care and child care services for low income Tennesseans. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the Tennessee arts commission for the sole purpose of making a grant in such amount to the Tipton Fine Arts Council for renovations, repairs and improvements to their facilities. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of human services for the sole purpose of making a grant in such amount to Tri-County Children and Family Services located in Tipton county to renovate, repair and expand their facilities. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Johnson County Mountain City Chamber of Commerce for the purpose of completing a welcome center/tourist information center. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to all other funds appropriated by this bill, there is appropriated ninety-one thousand dollars (\$91,000) to the department of state to implement the provisions of Senate Bill 1255 / House Bill 1110. Of the total appropriation, seventy-two thousand five hundred dollars (\$72,500) shall be utilized to fund three (3) additional personnel positions, and eighteen thousand five hundred dollars (\$18,500) shall be used for other expenditures with which to support the added positions.

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This appropriation shall have no effect unless Senate Bill 1255 / House Bill 1110 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed six million dollars (\$6,000,000) for the purpose of implementing Senate Bill No. 1057 / House Bill No. 803, relative to establishing a statewide public defender system, if such bill becomes a law. The appropriation made in this item shall only take effect if Senate Bill No. 537 / House Bill No. 866 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Hickman County for the Hickman County Community Development Program.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the Tennessee Holocaust Commission. This shall be a recurring appropriation. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of state the sum of one hundred thirty-nine thousand nine hundred dollars (\$139,900) for the purpose of implementing the provisions of Senate Bill No. 436 / House Bill No. 197, such funds to be allocated as follows: the sum of seventy-eight thousand two hundred dollars (\$78,200) to fund four (4) positions and the sum of fifty-one thousand seven hundred dollars (\$51,700) for other costs in support of such positions.

The appropriation made in this item shall be contingent upon Senate Bill No. 436 / House Bill No. 197 becoming law and shall further be contingent upon such bill's attaching the registry of election finance to the office of the secretary of state for administrative purposes.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Andrew Johnson Documentary Commission, an arm of the Greene County Heritage Trust, for the purpose of producing a documentary film on the life of President Andrew Johnson. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum

of fifty thousand dollars (\$50,000) to the Tennessee historical commission for the sole purpose of making a grant in that amount to the Dickson-Williams Restoration Foundation to aid in the restoration of the Dickson-Williams Home. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-three thousand dollars (\$23,000) to the City of Doyle to complete flood control for such city's community center. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to the department of conservation for the sole purpose of constructing tennis courts at Cedars of Lebanon state park.

Item \_\_\_\_\_. In addition to any other appropriations made by this act, there is hereby appropriated the sum of two hundred forty thousand dollars (\$240,000) for the purpose of making grants of fifteen thousand dollars (\$15,000) each to the following community action agencies:

<u>Agency</u>	<u>Counties Served</u>
Anderson County Community Action Comm.	Anderson
Bradley-Cleveland Community Services Agency	Bradley
Caney Fork Development Corporation	Cannon, DeKalb, Van Buren, Warren
Chattanooga Human Services Department	Hamilton
Clarksville-Montgomery County Community Action Agency	Montgomery
Cordell Hull Economic Opportunity Corp.	Clay, Jackson, Macon, Smith
Douglas-Cherokee Economic Authority	Cocke, Grainger, Sevier, Hamblen, Jefferson, Monroe
Highland Rim Economic Corporation	Dickson, Stewart, Houston, Humphreys

## Knox

Fayette, Tipton,  
Lauderdale

Davidson

Cheatham, Sumner,  
Robertson, Trousdale,  
Williamson, Rutherford

Carter, Greene,  
Hancock, Hawkins,  
Johnson, Sullivan  
Unicoi, Washington

**Loudon, Roane**

Benton, Carroll,  
Crockett, Dyer, Lake,  
Obion, Henry Weakley,  
Gibson

## She l by

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thousand dollars (\$200,000) for pre-planning the construction of a library addition at Volunteer State Community College.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eleven thousand two hundred dollars (\$11,200) to the department of conservation for the sole purpose of making a grant in such amount to the Clark Chapter of the United Daughters of the Confederacy to make repairs and renovations to Trousdale Place. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Trousdale County for the sole purpose of renovations and additions to the public library in the city of Hartsville. This appropriation shall be subject to approval by the state library and archives management board. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to Kids on the Block for development of an adult literacy program in Bradley County. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-four thousand six hundred dollars (\$34,600) to the Center on Aging at Tennessee State University for the purpose of funding the provisions of Senate Bill 828 / House Bill 266. This appropriation shall have no effect unless Senate Bill 828 / House Bill 266 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-eight thousand dollars (\$48,000) for the pre-planning and initial start-up of the completion phase of the Greenbelt Park Linkage Project in cooperation with Aluminum Company of America.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Hamilton County for the sole purpose of planning the Tennessee Excursion of the Chattanooga Choo-Choo from Pennsylvania Station in New York City to Tennessee by the Chattanooga Area Convention Visitors Bureau. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. The funds generated by fees and taxes for regulation of prepaid legal expense insurance companies shall be expended for regulation of such companies and the appropriation to the department of commerce and insurance in Section 4, Title III-12 is increased by the sum of ninety-five thousand two hundred dollars (\$95,200). The appropriation made in this item shall only take effect if Senate Bill No. 1287 / House Bill No. 1164 becomes law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of six hundred four thousand dollars (\$604,000) to be allocated to the public service commission. Four hundred fifty-seven thousand dollars (\$457,000) of such amount shall be allocated for payroll expenditures and one hundred forty-seven thousand dollars (\$147,000) shall be allocated for other expenditures. All revenues generated pursuant to the provisions of Chapter \_\_\_\_ of the Public Acts of 1989 (Senate Bill No. 551 / House Bill No. 550) are earmarked and allocated to fund the appropriation made in this item.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Scott County for the purpose of developing and making improvements in the recreational park in the community of Helenwood. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to Macon County for the purpose of purchasing equipment for rural volunteer fire departments. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to Clay County for the purpose of purchasing equipment for rural volunteer fire departments. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to Jackson County for the purpose of purchasing equipment for rural volunteer fire departments. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to Pickett County for the purpose of purchasing equipment for rural volunteer fire departments. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) for the purpose of establishing an additional secretarial position for the district attorney general of the eighth judicial district.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the City of Clifton for the purpose of making improvements to Clifton Marina Drive. The appropriation made in this item is subject to the approval of the commissioner of finance and administration. The appropriation made in this item shall

only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to Cheatham County for the development and improvement of safety and protective programs and facilities. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the Tennessee arts commission for the sole purpose of making a grant in such amount to the Center for Southern Folklore to match a grant from the National Endowment for the Arts which will generate three dollars (\$3.00) of federal funds for every one dollar (\$1.00) of state funds. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the state building commission for the sole purpose of preplanning an agriculture pavilion at Tennessee Technological University.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated an amount not to exceed eighty-four thousand one hundred dollars (\$84,100) or an amount equal to fees collected pursuant to Senate Bill No. 803 / House Bill No. 1352, whichever is less, for the purpose of implementing Senate Bill No. 803 / House Bill No. 1352, relative to health clubs, if such bill becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to Robertson County for the development and improvement of safety and protective programs and facilities. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Cumberland County Playhouse for the purpose of providing fire code and safety renovations and improvements, providing handicapped and hearing impaired access, expanding seating and stage capacity, providing housing for students, making exterior improvements, and

providing a children's theater. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of conservation, division of forestry, for the purpose of acquiring land adjacent to the Prentice Cooper State Forest in Marion County. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty thousand dollars (\$40,000) to the Tennessee Higher Education Commission to fund one (1) professional staff position and one-half (1/2) secretarial position to administer the provisions of Senate Bill 1397 / House Bill 1187 relative to private proprietary schools, if such bill becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of twenty thousand dollars (\$20,000) to the Tennessee historical commission for acquisition and placement of twenty (20) additional historical markers: at least fifteen (15) of which shall indicate objects, sites, buildings, structures, and geographical locations of significance for black history in Tennessee.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) to the Department of Agriculture for the sole purpose of conducting or contracting for a study of the impact that agriculture is having on surface and ground waters in Fayette, Shelby, and Tipton counties. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the board of paroles to acquire through lease or purchase electronic monitoring devices for parolees, including remote electronic monitoring devices. The appropriation made in this item shall be nonrecurring.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of agriculture the sum of one hundred thousand dollars (\$100,000) to be used for:



(1) Hiring of one (1) additional full-time apiary inspector;

(2) Supporting and participating in the beekeeper certification program initiated by the University of Tennessee;

(3) Reestablishing local cooperative apiary inspection services through the use of appropriately qualified beekeepers; and

(4) Obtaining necessary technical support in order to provide a timely service for analysis of samples to detect bee diseases and pests in this state.

The additional funds appropriated by this item shall not be used for any purposes other than those specified hereunder.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-two thousand dollars (\$42,000) to the secretary of state for the purpose of purchasing additional ballot boxes. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the Tennessee historical commission for the sole purpose of funding a visitor's center at the Ramsey House. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred twenty-five thousand dollars (\$125,000) to the Tennessee Valley Center. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) to the Tennessee Historical Commission for the sole purpose of funding essential structural work on the foundations, walls, and roof of the Sisters' House at the James K. Polk historical site in Columbia. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Ijams Nature Center in Knoxville. Receipt of this appropriation shall be subject to a dollar-for-dollar match by the city of Knoxville. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) to the commissioner of economic and community development for the purpose of addressing economically depressed conditions in or adjacent to the city of Watertown. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Memphis Area Neighborhood Watch, Inc. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) for the city of Decatur, for the purpose of constructing an industrial building. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand dollars (\$7,000) to the City of Gordonsville for the sole purpose of making a grant to the Gordonsville Volunteer Fire Department to reimburse such department for expenses incurred in a right-of-way problem.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the city of Hendersonville for improvements and maintenance of the Hendersonville Memorial Park. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the city of Mount Juliet for lighting of and improvements to the Charlie

Daniels Park. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the city of White House for renovation and rehabilitation of the newly acquired recreation center. This appropriation shall be subject to a dollar-for-dollar match by the city of White House. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Fayette County for design work and the purchase of equipment. The plan for the expenditure of such funds shall be subject to approval by the commissioner of finance and administration.

Item \_\_\_\_\_. Notwithstanding any provision of the law to the contrary, no law of general application which requires expenditures in excess of fifty thousand dollars (\$50,000) shall take effect unless the funds required to be expended by such law are specifically appropriated by the provisions of this act, but the required first year's funding for any law of general application which requires expenditures of fifty thousand dollars (\$50,000) or less shall be deemed to have been appropriated through the provisions of this act.

AND FURTHER AMEND by adding the following new paragraph at the end of Section 31, Item 1:

It is the legislative intent that all support personnel of the Board of Regents and the University of Tennessee shall, effective July 1, 1989, receive the same percentage salary increases as career service employees with comparable salaries unless the most recent evaluation from the 1988-89 school year is unsatisfactory and is present in the employee's personnel file.

AND FURTHER AMEND by adding a new sentence at the end of the sixth paragraph of Section 32 to read as follows:

The fact that an employee has submitted a suggestion to the Employee Suggestion Award Board or has submitted a suggestion and received a cash award under such program shall not be considered when evaluating or judging employee performance for the purpose of determining employee pay or employee classification.

AND FURTHER AMEND by adding the following new items at the end of the original Section 36:

Item \_\_\_\_\_. The unexpended balance of the appropriation made to the department of economic and community development for the benefit of Humphreys County by Item 48 of Section 12 of Chapter 937 of the Public Acts of 1986 and continued by Item 39 of Section 36 of Chapter 1037 of the Public Acts of 1988, is hereby reappropriated to be expended for such purpose in the 1988-1989 and 1989-1990 fiscal years. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. The unexpended balance of the appropriation made by Chapter 1037, Public Acts of 1988, Section 12, Item 129, is hereby reappropriated to the city of Kingsport for the purpose of funding the construction phase of the Bays Mountain City Park learning center. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. The unexpended balance of the appropriation made by Chapter 937, Public Acts of 1986, in Section 12, Item 33, and continued by Chapter 1037, Public Acts of 1988, in Section 43, Item 7, is hereby reappropriated to the Department of Finance and Administration for the purpose of making a grant for the renovation of the Paramount Center in Bristol. Such grant continues to be subject to a cash or in-kind match of one-for-one. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. Montgomery County for renovation and repair of the Montgomery County Historical Museum under Section 12, Item 18. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. The sum of ten thousand dollars (\$10,000) to the City of South Pittsburg for the purpose of restoration of a historical structure, is reappropriated for that purpose for the 1989-1990 fiscal year. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

AND FURTHER AMEND by adding at the end of the original Section 37, Item 25, the following language:

Funds received by the state as a consequence of the oil overcharge judgments are hereby allocated and appropriated for the following energy conservation purposes:

One million three hundred thousand dollars (\$1,300,000) to the energy division in the department of economic and community development for the state energy conservation program and the energy extension service.

AND FURTHER AMEND by adding the following new items at the end of the original Section 41:

Item \_\_\_\_\_. The funds appropriated to Crockett County by the provisions of Item 198 of Section 12 of Chapter 1037 of the Public Acts of 1988 for purchasing property for an industrial project are hereby reappropriated to such county for the purpose of industrial development. Such funds shall not revert to the general fund on June 30, 1989, but shall remain available until expended in accordance with the provisions of this item. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. From the appropriations made in Section 1, Title III-26, Item 1, Bureau of Operations, the Commissioner of Finance and Administration and the Commissioner of Transportation, acting in conjunction, are authorized to transfer an amount not to exceed one million five hundred thousand dollars (\$1,500,000) to the Utility Relocation Loan Program. This appropriation is subject to Senate Bill No. 1355 / House Bill No. 1273 becoming a law.

Item \_\_\_\_\_. The state library and archives management board in its discretion is hereby authorized to reallocate any remaining funds from the nine hundred six thousand six hundred dollars (\$906,600) appropriated in Chapter 1037, Section 12, Item 124 of the Public Acts of 1988 for library construction at specific locations across the state, where projects have not developed, to other unspecified locations where future library construction projects may develop.

The management board may, in its discretion, determine the location to which the funds are to be reallocated for such projects.

These funds shall remain available until expended for the purposes for which they were appropriated.

AND FURTHER AMEND by adding the following new items at the end of the original Section 43:

Item \_\_\_\_\_. The appropriation made in Chapter 1037, Public Acts of 1988, in Section 36, Item 17, is hereby reappropriated to the Department of Economic and Community Development for the purpose of funding a two hundred thousand dollar (\$200,000) grant to the city of South Pittsburg for building, land for an industrial park, and associated infrastructure improvements. This appropriation

is subject to a two hundred thousand dollar (\$200,000) match by the city of South Pittsburg. Any portion or all of this match may be provided by in-kind work by the city of South Pittsburg. The appropriation made in this item is further subject to the approval of the commissioner of economic and community development. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. The appropriation made in Chapter 1037, Public Acts of 1988, in Section 12, Item 168, is hereby reappropriated for the purpose of providing partial funding for the capital costs of an Alzheimer's disease center in Kingsport for Upper East Tennessee. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item \_\_\_\_\_. There is hereby reappropriated the sum of fifty thousand dollars (\$50,000) to Hickman County for the Hickman County Community Development program. This sum shall not be subject to a local matching requirement.

AND FURTHER AMEND by adding the following new section immediately preceding the original Section 49 and by renumbering subsequent sections accordingly:

Section \_\_\_\_\_. The public service commission shall establish a salary policy for its subordinates and employees. The commission shall submit such policy to the House and Senate Finance, Ways and Means Committees for review and comment by such committees prior to implementation of such policy. Such policy shall identify salary ranges by functional title for all classifications of such subordinates and employees. Such policy shall apply to salary increases funded by appropriations made in this act.

The public service commission shall report monthly to the House and Senate Finance, Ways and Means Committees on all subordinate and employee promotions, increases in pay, transfers, dismissals, terminations, demotions, separations and position abolishments showing clearly by the names and titles of subordinates and employees affected, and such subordinates' and employees' position subsequent to such actions.

AND FURTHER AMEND by deleting the words and symbols "Senate Bill No. \_\_\_\_/House Bill No. \_\_\_\_" in the original Section 7, Item 6, and by substituting instead the words and figures "Senate Bill No. 1153 / House Bill No. 518".

AND FURTHER AMEND by deleting the words and symbols "Senate Bill No. \_\_\_\_/House Bill No. \_\_\_\_" in the original Section 7, Item 7, and by substituting instead the words and figures "Senate Bill

No. 1153 / House Bill No. 518".

AND FURTHER AMEND by deleting the words "Commission of Fire Fighting Personnel Standards and Education" in the original Section 10, Item 22, and by substituting instead the words "Commission on Fire Fighting Personnel Standards and Education".

AND FURTHER AMEND by deleting the comma between the words "other" and "support" in the last sentence in the original Section 35, Item 18.

AND FURTHER AMEND by deleting the citation "Title III-1-1, Item 1.1" in the original Section 37, Item 10, and by substituting instead the citation "Title III-1, Item 1.1".

AND FURTHER AMEND by deleting the words and symbols "Senate Bill No. \_\_\_\_/House Bill No. \_\_\_\_" in the original Section 37, Item 13, and by substituting instead the words and figures "Senate Bill No. 1153 / House Bill No. 518".

AND FURTHER AMEND by deleting the words and symbols "Senate Bill No. \_\_\_\_/House Bill No. \_\_\_\_" in the original Section 37, Item 29, and by substituting instead the words and figures "Senate Bill No. 5 / House Bill No. 10".

AND FURTHER AMEND by deleting the word "the" from the words "in the such departments" in the second sentence of the original Section 41, Item 34.

AND FURTHER AMEND by deleting the words and symbols "Senate Bill No. \_\_\_\_/House Bill No. \_\_\_\_" in the original Section 43, Item 2, and by substituting instead the words and figures "Senate Bill No. 1175 / House Bill No. 640".

AND FURTHER AMEND by deleting the word "Committee" in the last sentence in the original Section 47, and by substituting instead the word "Committees".

AND FURTHER AMEND by deleting from Section 1, Title III-14, Items 1.1, 2.1, 2.2, 2.3 and 2.4 and by substituting instead the following items and by changing the subtotals accordingly:

"1.1 Administrative Services Division	\$5,928,700.00
2.1 Alcohol and Drug Abuse Services Administration	986,500.00
2.2 Alcohol and Drug Abuse Community Services	7,307,400.00
2.3 Mental Health Services Administration	1,890,000.00
2.4 Community Mental Health Program	32,544,500.00"

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AND FURTHER AMEND by deleting from Section 4, Title III-15, Items 1.1, 2.1, 2.2 and 2.4, and by substituting instead the following items and by changing the subtotals accordingly:

"1.1 Administrative Services Division	\$ 424,800.00
2.1 Alcohol and Drug Abuse Services Administration	375,800.00
2.2 Alcohol and Drug Abuse Community Services	8,741,400.00
2.4 Community Mental Health Program	7,671,800.00"

AND FURTHER AMEND by deleting from Section 12 of the bill, as introduced, the second sentence in Item 11.

AND FURTHER AMEND by adding to Section 37 of the bill, as introduced, a new item to read:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby reappropriated to the Department of Transportation the unexpended balances of any appropriations which are reserved at June 30, 1988. Said amounts shall specifically include appropriations made under Chapter 1037 of the Public Acts of 1988, Chapter 457 of the Public Acts of 1987 and Chapter 937 of the Public Acts of 1986.

AND FURTHER AMEND by deleting the figure "\$364,800.00" where it appears in Section 12, Item 5 of the bill, as introduced, and by substituting instead the figure "\$829,700.00".

AND FURTHER AMEND by adding a new sentence at the end of Section 23 of the bill, as introduced, to read:

"Provided, however, that capital outlay program projects and the availability of funding shall be submitted to the State Building Commission to be acknowledged."

AND FURTHER AMEND by deleting the words and figures "twenty three million dollars (\$23,000,000.00)" where they appear in Section 33 of the bill, as introduced, and by substituting instead the words and figures "twenty three million, four hundred six thousand dollars (\$23,406,000.00)".

AND FURTHER AMEND by deleting in its entirety the first paragraph of Section 36 of the bill, as introduced, and by substituting instead a new paragraph to read:

"Section 36. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. At June 30, 1989, any unexpended balances of appropriations made under Chapter 1037, Public Acts of 1988,



listed in this section may be reappropriated to be expended in the 1989-90 fiscal year and such appropriations may be carried forward in a reserve into the fiscal year beginning July 1, 1989. The reappropriation and carry forward of these funds is subject to approval by the Commissioner of Finance and Administration. The unexpended balances to be reappropriated are the appropriations made to the:"

AND FURTHER AMEND by deleting from Section 37 of the act, as introduced, Item 28 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by deleting the words "finance those items in Section 1 of this act which are appropriated," in Section 41, Item 6, and by substituting instead the words "the Natural Resources Trust Fund to be available,".

AND FURTHER AMEND by deleting the words "Department of Correction is" in Section 41, Item 7, and by substituting instead the words "Department of Correction and the Department of Youth Development are".

AND FURTHER AMEND by deleting the words "Tennessee State University and the Department of Correction" in Section 41, Item 8, and by substituting instead the words "Tennessee State University, the Department of Correction and the Department of Youth Development".

AND FURTHER AMEND by adding to Section 41, Item 20 of the bill, as introduced, the following language to read:

"The funds are hereby appropriated and any unexpended balance at June 30, 1989, is hereby reappropriated to be expended in the 1989-90 fiscal year."

AND FURTHER AMEND by deleting in its entirety Item 23 in Section 41 of the bill, as introduced, and by substituting a new item to read:

Item \_\_\_\_\_. The unexpended balances of the appropriations made under provisions of Chapter 1037, Public Acts of 1988, for data processing services, systems development and data processing equipment purchases and leases may be reappropriated to be expended for such purposes in the 1989-90 fiscal year. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting the citation "Title 18, Item 3.2," in Section 41, Item 26, and by substituting instead the citation "Title III-18, Item 3.2".

AND FURTHER AMEND by deleting in Section 41, Item 27 the phrase "to make a reallocation of funds", and by substituting instead the phrase "to make a reallocation of positions and funds".

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AND FURTHER AMEND by deleting the words "Section 38 of this act" in Section 41, Item 29, and by substituting instead the words "Section 38 of this act and in Section 1, Title III-21, Item 10 of Chapter 1037, Public Acts of 1988".

AND FURTHER AMEND by deleting the words "two adult maximum security prisons" in Section 41, Item 30, and by substituting instead the words "two adult maximum and high security facilities and the Correction Training Academy".

AND FURTHER AMEND by deleting in its entirety the second sentence from Section 41, Item 37 of the bill as introduced, and by substituting instead a new sentence to read:

"The Commissioner of Finance and Administration is authorized to transfer up to \$2,500,000.00 to the current operating budget in the general fund for the purpose of making grants for farmer's market pavilions."

AND FURTHER AMEND by changing the period to a comma at the end of the first sentence in Section 46, Item 2, and by adding the following language:

"and there is further authorized the transfer of those sums appropriated for information systems capital projects in Sections 1 and 4 and in Section 41, Item 23 of this act."

AND FURTHER AMEND by deleting from Section 1, Title III-7 the following items and total:

"3. State Prosecutions	47,021,900.00
20. West TN High Security Facility	8,849,100.00
Total Title III-7	\$236,124,800.00"

and by substituting instead the following items and total:

"3. State Prosecutions	49,321,900.00
20. West TN High Security Facility	7,149,100.00
Total Title III-7	\$236,724,800.00

AND FURTHER AMEND by deleting from Section 1, Title III-25 the following items:

"4. Department of Correction	18,710,000.00
8. State Board of Regents System	31,158,000.00"

and by substituting instead the items:

"4. Department of Correction	15,075,000.00
8. State Board of Regents System	34,158,000.00
18. Department of Youth Development	635,000.00"

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AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, new items to read:

Item \_\_\_\_\_. From the funds appropriated in Section 1, Title III-25 of this act to the State Board of Regents System, there is hereby earmarked the sum of \$3,000,000.00 for the ETSU Clinical Education Facility. This appropriation is intended to be an interest-bearing loan from the general fund. The Commissioner of Finance and Administration is authorized to establish a repayment schedule with interest based on reasonable market rates for the maturity of the loan.

Item \_\_\_\_\_. From the funds appropriated to the Department of Correction for capital outlay in Section 1, Title III-25 of this act and under Senate Bill No. 1543 / House Bill No. 1523, it is the legislative intent to delete the adult boot camp construction project in the amount of \$3,000,000.00 and to fund the East Tennessee medium security facility at \$2,000,000.00 and to fund two additional medium security facilities at \$36,500,000.00 each.

AND FURTHER AMEND by deleting from Section 1, Title III-27 the following item and total:

"4. Amortization of Authorized and Unissued Bonds	25,540,000.00
Total Title III-27	\$120,248,000.00"

and by substituting instead the item and total:

"4. Amortization of Authorized and Unissued Bonds	34,540,000.00
Total Title III-27	\$129,248,000.00"

AND FURTHER AMEND by adding to Section 12 of the bill, as introduced, the following items to read:

Item \_\_\_\_\_. In addition to the appropriations made in Section 1, Title III-17, to the Department of Health and Environment, there is hereby appropriated the sum of \$339,800.00 to the Hazardous Waste Remedial Action Fund.

Item \_\_\_\_\_. In addition to the appropriations made in Section 1, Title III-10, to the University of Tennessee System, there is hereby appropriated the sum of \$50,000.00 to the U.T. Agricultural Experiment Stations to fund a vegetable project.

Item \_\_\_\_\_. In addition to the appropriations made in Section 1, Title III-21 of this Act to the Department of

Safety, there is hereby appropriated the sum of \$23,900.00 to implement the salary plan for the department.

Item \_\_\_\_\_. In addition to the appropriation made in Section 1, Title III-8, item 3, to the Department of Economic and Community Development, there is hereby appropriated the sum of \$30,000.00 to increase the level of matching funds to the development districts.

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of \$79,000.00 to the Department of Financial Institutions for the purpose of administering the provisions of Senate Bill No. 863 / House Bill No. 788. The department is authorized to establish three (3) positions for this purpose. This appropriation is subject to the passage of Senate Bill No. 863 / House Bill No. 788.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, fifty percent (50%) of the funds deposited to the health access incentive account created in Public Chapter \_\_\_\_ of 1989 (SB 1297 / HB 1170), are hereby appropriated to the Department of Health and Environment for the purpose of implementing the provisions of Public Chapter \_\_\_\_ of 1989 (SB 1297 / HB 1170).

Item \_\_\_\_\_. In addition to the appropriations made in Section 1, Title III-3, to the Department of Agriculture, there is hereby appropriated an amount not to exceed \$1,142,000.00 to administer the "Kerosene and Motor Fuels Quality Inspection Act of 1989." This appropriation is subject to Senate Bill No. 645 / House Bill No. 443 becoming a law. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. In addition to the appropriation of departmental revenues to the Department of Human Services in Section 4, Title III-19, of this act, there is hereby appropriated a sum sufficient in interdepartmental revenues to the Social Services Division to reflect on-going placement costs and services provided for youth in state custody under the interagency Assessment, Intake, and Management System (AIMS) pilot projects by the affected state departments, including other divisions of the Department of Human Services. Further, there is hereby appropriated a sum sufficient in interdepartmental revenues to Board and Care Contributions to reflect family preservation services provided by other participating state departments or divisions. This item is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. In addition to any other appropriations provided herein, there is hereby appropriated to the Department of Revenue the sum of \$210,000.00 and to the

Department of Safety the sum of \$636,000.00 for the purpose of administering the provisions of the odometer fraud bill, Senate Bill 380 / House Bill 256, if such bill becomes law. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. In addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of \$58,000.00 for the purpose of administering the provisions of Senate Bill 1392 / House Bill 1338, if such bill becomes law. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. There is appropriated to Shelby County a sum sufficient to repay the entire amount of the county's indebtedness to the State of Tennessee pursuant to a reappraisal promissory note dated January 1, 1985. The purpose of this appropriation is to assist Shelby County in funding an innovative revaluation capability necessary to complete its current reappraisal by 1991 and to allow annual or biannual revaluations of all real property within the county for ad valorem tax purposes, beginning in tax year 1993. The county and the state acknowledge that accomplishment of these objectives benefits the county and the state, and it is the legislative intent that such reappraisal and revaluations be accomplished subject to the supervision and approval of the State Board of Equalization and Division of Property Assessments.

The foregoing appropriation shall be administered by deposit of a lump sum on behalf of Shelby County in the State Board of Equalization Loan Fund in an amount sufficient to pay the outstanding balance of principal and interest due from the county under the aforesaid promissory note at the time the deposit is made. This appropriation shall be administered under a contract between Shelby County and the State Division of Property Assessments, subject to approval of the State Board of Equalization, and containing provisions deemed necessary by the State Board to accomplish the purposes stated above. The contract shall provide for recovery of sums appropriated herein upon failure by the county to timely accomplish the reappraisal and revaluation objectives stated above.

The Commissioner of Finance and Administration shall reduce the appropriation made in Section 1, Title III-1, Item 4.11, to the State Board of Equalization, in an amount equal to the appropriation established under this item.

Item \_\_\_\_\_. In addition to the appropriations made in Section 1, Title III-26, to the Department of Transportation, there is hereby appropriated the sum of \$6,100,000.00 for State Highway Construction. There is

further appropriated for State Highway Construction such amount as the Commissioner of Finance and Administration and the Commissioner of Transportation shall determine is available from the highway fund balance at June 30, 1989.

Item \_\_\_\_\_. In addition to the appropriations made in Section 1, Title III-17, to the Department of Health and Environment, there is hereby appropriated an amount not to exceed \$250,000.00 to maintain community-based highway safety programs to increase safety belt use. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. From the funds appropriated in Section 1, Title III-2, Item 3.2 to the Alcoholic Beverage Commission for bingo enforcement, the Commission is authorized to retain \$120,000.00 to fund two (2) support positions and two (2) agent positions.

Item \_\_\_\_\_. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of \$30,500.00 for the purpose of administering the provisions of Senate Bill No. 19 / House Bill No. 352 (Chapter 16, Public Acts of 1989) which is a court clerks fee bill. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of \$21,600.00 for the one-time cost of administering the provisions of Senate Bill No. 946 / House Bill No. 1249, if such bill becomes law. The bill requires sales tax reports from dealers of aviation fuel. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this Act, there is appropriated the sum of \$24,000.00 to the Department of Health and Environment and authorization provided for two (2) full-time positions to implement the provisions of Senate Bill No. 300 / House Bill No. 433, if such bill becomes law, relative to the certification of chief Administrators of residential homes for the aged. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. To the extent that revenues are determined to be available by the Commissioner of Finance and Administration, there is hereby appropriated an amount not to exceed \$91,000,000.00 to increase the state match in the Medicaid program. Prior to establishing this appropriation

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in the Medicaid program, the Commissioner of Finance and Administration shall submit a schedule of revised revenue projections to the Finance, Ways and Means Committees for review and such committees must conduct such review in a reasonable period of time before the Commissioner of Finance and Administration gives final approval to establishing the appropriations.

Item \_\_\_\_\_. In addition to the appropriation made in Section 1, Title III-2, Item 3.9, to the Board of Paroles, there is hereby appropriated an amount not to exceed \$176,200.00 which is subject to Senate Bill No. 340 / House Bill No. 816 becoming a law.

AND FURTHER AMEND by deleting in its entirety Section 29 of the bill, as introduced, and by substituting a new Section to read:

"SECTION \_\_\_\_\_. The provisions of this Section shall take effect upon becoming a law, the public welfare requiring it.

It is the legislative intent to recognize an over-appropriation in the general fund of \$50,000,000.00 in fiscal year 1988-89 and \$45,500,000.00 in 1989-90 which provisions balance appropriation requirements with estimated revenues for those fiscal years.

The Commissioner of Finance and Administration is authorized to withhold from the non-academic appropriations made in Section 1, Title III-10, to the University of Tennessee, an amount not to exceed \$5,500,000.00 as part of the over-appropriation for fiscal year 1989-90."

AND FURTHER AMEND by deleting in its entirety Section 30 of the bill as introduced, and by substituting a new Section to read:

SECTION \_\_\_\_\_. The provisions of this Section shall take effect upon becoming a law, the public welfare requiring it. To the extent state revenues and/or other funds made available to the general fund for the fiscal year ending June 30, 1989, exceed the requirements of such fund for the fiscal year ending June 30, 1989, the Revenue Fluctuation Reserve shall be established in the highest possible amount, not to exceed one hundred twenty-five million dollars (\$125,000,000.00), as of June 30, 1989, before considering any contingency appropriations authorized by this act or other acts of the General Assembly. The Commissioner of Finance and Administration shall report to the Finance, Ways and Means Committees before the amount is established.

AND FURTHER AMEND by adding to Section 35 of the bill, as introduced, the following new items to read:

Item \_\_\_\_\_. From the appropriations made to the Department of Health and Environment under Section 1, Title III-16, in Chapter 1037, Public Acts of 1988, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$700,000.00 within the department to provide for relocation expenses to the Cordell Hull Building. The Commissioner is further authorized to adjust the allotments of departmental revenue and reserves accordingly. At June 30, 1989 any unexpended balances of the transferred funds and revenue and reserve adjustments are hereby reappropriated to be expended in the 1989-90 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 1989.

Item \_\_\_\_\_. From the appropriations made to the Department of Agriculture under Section 1, Title III-3, in Chapter 1037, Public Acts of 1988, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$200,000.00 to the Division of Animal Industries.

Item \_\_\_\_\_. From the appropriations made to the Department of Revenue under Section 1, Title III-18, in Chapter 1037, Public Acts of 1988, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$220,000.00 to the Division of Motor Vehicle Tax for necessary overtime expenditures.

Item \_\_\_\_\_. From the appropriations made to the Department of Correction under Section 1, Title III-7, and for Juvenile Programs under Section 1, Title III-21, in Chapter 1037, Public Acts of 1988, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$300,000.00 within the department to provide for relocation expenses of the Department of Youth Development to the Cordell Hull Building. At June 30, 1989 any unexpended balances of transferred funds are hereby reappropriated to be expended in the 1989-90 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 1989.

Item \_\_\_\_\_. From the appropriations made in Section 1 and 4 in Chapter 1037, Public Acts of 1988, to the Department of Commerce and Insurance, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$150,000.00 to the Division of Insurance.

Item \_\_\_\_\_. From the funds appropriated to the Department of Mental Health and Mental Retardation in Section 1, Title III-14, in Chapter 1037, Public Acts of 1988, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed a total of \$626,100.00 to Alcohol and Drug Abuse Community Services, Community Mental Health Program, and Community Mental Retardation Programs



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for the purpose of matching federal vocational rehabilitation funds in the Department of Human Services. From the funds appropriated to the Department of Human Services in Section 1, Title III-17, in Chapter 1037, Public Acts of 1988, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Rehabilitative Services program.

Item \_\_\_\_\_. From the Appropriations in Section 1, Title III-14, in Chapter 1037, Public Acts of 1988, to the Department of Mental Health and Mental Retardation, the Commissioner of Finance and Administration is authorized to transfer amounts not to exceed \$75,000.00 to Memphis Mental Health Institute and \$105,000.00 to Nat T. Winston Developmental Center.

Item \_\_\_\_\_. From the appropriations in Section 1, Title III-9, in Chapter 1037, Public Acts of 1988, to the Department of Education, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to Teachers' Group Insurance.

AND FURTHER AMEND by adding to Section 36 of the bill, as introduced, the following new items to read:

Item \_\_\_\_\_. Department of Finance and Administration and the Office of the Comptroller of the Treasury under Section 1 in the combined amount of \$20,000.00. The balances are reappropriated to defer the expenses of hosting the 1990 Association of Government Accountants' Professional Development Conference in Nashville.

Item \_\_\_\_\_. Tennessee Arts Commission for a grant to the Lakewood Theatre Company, Inc. under Section 10, Item 42.

Item \_\_\_\_\_. Department of Economic and Community Development and the Tennessee Advisory Commission on Intergovernmental Relations for a Saturn Secondary Impact Area Study under Section 36, Item 18.

Item \_\_\_\_\_. Department of Economic and Community Development for a pilot project in garbage and trash recycling in South Pittsburg under Section 12, Item 202.

Item \_\_\_\_\_. State Planning Office for water quality study under Section 1, Title III-21, Item 15.

Item \_\_\_\_\_. Department of Health and Environment for expansion of the Black Health Care Program beyond prenatal care under Section 1, Title III-16, Item 4.3.

Item \_\_\_\_\_. Department of Health and Environment for the development of access points for the provision of primary care services to indigents under Section 1, Title III-16, Item 4.7.

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AND FURTHER AMEND by adding to Section 37 of the bill, as introduced, the following new items to read:

Item \_\_\_\_\_. In addition to the appropriation made under Chapter 1037 of the Public Acts of 1988 to the Sentencing Commission, there is hereby appropriated the sum of \$20,000.00. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. In addition to the appropriations made in Section 1, Title III-14 to the Department of Mental Health and Mental Retardation, there is hereby appropriated the sum of \$119,500.00 in the fiscal year ending June 30, 1989, and the sum of \$149,900.00 in the fiscal year ending June 30, 1990. Said appropriations are for the purpose of matching federal funds under the Stewart B. McKinney homeless projects program. At June 30, 1989, any unexpended funds shall not revert to the general fund and are hereby reappropriated to be expended in the fiscal year beginning July 1, 1989.

Item \_\_\_\_\_. In addition to the appropriation made in Section 1, Title III-11 of Chapter 1037, Public Acts of 1988, to the Commission on Firefighting Standards and Education, there is hereby appropriated a sum not to exceed \$50,000.00 in the fiscal year ending June 30, 1989. Under the provisions of T.C.A. Section 56-4-205, there is further appropriated a sum sufficient in the fiscal year ending June 30, 1990, to provide for the firefighters' pay supplement.

Item \_\_\_\_\_. In addition to the appropriations made in Section 1, Title III-6 of Chapter 1037, Public Acts of 1988, and made in Section 1, Title III-6 of this act, to the Wildlife Resources Agency, there is hereby appropriated a sum sufficient to the Wetlands Acquisition Fund and the Wetlands Compensation Fund from revenues available to the program. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. In addition to the capital outlay projects listed in the 1989-90 Budget Document to be funded from revenue bonds issued by the Tennessee State School Bond Authority (TSSBA), the following capital outlay projects are authorized to be funded from TSSBA revenue bonds and/or institutional sources of revenue:

(a) East Tennessee State University - reroof Davis Apartments A, B, C and the mechanical room - \$78,000.00;

(b) U.T. Knoxville - Student Aquatic Center improvements - \$800,000.00;

(c) U.T. Knoxville - expand Neyland Stadium north end zone and improve concession stands - \$10,000,000.00;  
and

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(d) U.T. Knoxville - Thompson-Boling Arena -

\$250,000.00.

This appropriation is subject to approval by the State Building Commission.

AND FURTHER AMEND by deleting in its entirety Section 39 of the bill, as introduced, and by substituting a new section to read:

SECTION \_\_\_\_\_. The provisions of this Section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	1988-89	1989-90
District Attorneys General		
1. District Attorneys General	\$ -	\$ 480,500
2. IV-D Child Support Program	-	1,526,700
Total		
District Attorneys General	-	2,007,200
Comptroller of the Treasury		
1. County Audit	\$ -	\$ 240,000
Department of Treasury		
1. State Treasurer's Office	\$ -	\$ 413,200
Executive Programs		
1. State Planning Office	\$ -	\$2,080,600
Commissions		
1. Commission for Human Rights	\$ 3,700	\$ 3,800
2. Tennessee Council of Juvenile and Family Court Judges	-	60,000
3. Obion-Forked Deer Basin Authority	200,000	-
Total Commissions	\$ 203,700	\$ 63,800
Department of General Services		
1. Postal Services	\$ 400,000	\$ 400,000
2. Division of Printing	334,000	-
Total Department of General Services	\$ 734,000	\$ 400,000
Department of Conservation		
1. Division of State Parks	\$ 500,000	\$ 100,000
Department of Correction		
1. Local Corrections Program	\$ -	\$ 473,500
2. Lake County Regional Facility	-	10,000

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Total		
Department of Correction	\$ -	\$ 483,500
Department of Education		
1. Improvement of School Personnel	\$ -	\$1,282,200
2. Elementary and Secondary Education Act, Chapter I	8,000,000	-
3. Vocational Education	1,120,000	-
Total Education	\$9,120,000	\$1,282,200
Higher Education		
1. Higher Education Commission	\$ 38,700	\$ 25,300
2. Foreign Language Institute	21,800	21,800
Total Higher Education	\$ 60,500	\$ 47,100
Department of Mental Health and Mental Retardation		
1. Administrative Services	\$ 7,600	\$ 42,000
2. Alcohol and Drug Abuse Community Services	-	3,478,600
3. Community Mental Health Program	697,300	1,842,900
4. Community Mental Retardation Programs	461,300	1,160,000
Total		
Department of Mental Health and Mental Retardation	\$1,166,200	\$6,523,500
Department of Youth Development		
1. Wilder Youth Center	\$ -	\$ 15,000
2. Taft Youth Center	-	77,700
3. Spencer Youth Center	-	17,900
Total		
Department of Youth Development	\$ -	\$ 110,600
Department of Military		
1. Air National Guard	\$ 16,500	\$ -
Department of Health and Environment		
1. Air Pollution Control	\$ 30,200	\$ 72,500
2. Water Quality Control	175,500	80,400
3. Ground Water	97,200	354,900
4. Supplemental Food Program	2,400,000	4,500,000
5. Aid to Local Health Units	-	2,000,000
Total Department of Health and Environment	\$2,702,900	\$7,007,800
Department of Human Services		
1. Division of Administration	\$ 30,100	\$ 15,300
2. Child Support	2,193,200	1,034,100
3. Social Services Division	112,000	514,300

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4. Community Services	556,900	1,869,800
5. Rehabilitative Services	462,000	1,453,200
Total		
Department of Human Services	\$3,354,200	\$4,886,700
Tennessee Bureau of Criminal Investigation		
1. Tennessee Bureau of Criminal Investigation	\$ 300,000	\$ -
Department of Safety		
1. Division of Administration	\$ -	\$ 35,000
TOTAL	\$18,158,000	\$25,681,200

The Commissioner of Finance and Administration is authorized to establish 35 full-time positions and 11 part-time and seasonal positions and to allocate them to the appropriate organizational units including one (1) full-time position to the State Board of Education. Any unexpended balances at June 30, 1989, of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 1989.

AND FURTHER AMEND by adding to Section 40 of the bill, as introduced, a new sentence to be inserted after the first sentence of Item 3. to read:

"The department may implement a pilot loan program for industrial building construction in certain economically depressed counties."

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, the following new items to read:

Item \_\_\_\_\_. From the appropriations made in Sections 1 and 4 of this act to benefit the Tennessee Consolidated Retirement System the sum of \$176,100.00 is hereby appropriated and earmarked to fund the provisions of Senate Bill 355/House Bill 276, the retirement system housekeeping bill. This appropriation is subject to the passage of Senate Bill 355 / House Bill 276.

Item \_\_\_\_\_. From the appropriations made in Section 1, Title III-14 to the Department of Mental Health and Mental Retardation, there is hereby appropriated a sum sufficient to provide state matching funds for the federal Stewart B. McKinney homeless projects program. This appropriation is subject to approval by the Commissioner of Finance and Administration and the Commissioner is authorized to transfer funds within the department as may be required.

Item \_\_\_\_\_. From the appropriations made in Section 1, Title III-25, to the Department of Correction for capital

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Total		
Department of Correction	\$ -	\$ 483,500
Department of Education		
1. Improvement of School Personnel	\$ -	\$1,282,200
2. Elementary and Secondary Education Act, Chapter I	8,000,000	-
3. Vocational Education	1,120,000	-
Total Education	\$9,120,000	\$1,282,200
Higher Education		
1. Higher Education Commission	\$ 38,700	\$ 25,300
2. Foreign Language Institute	21,800	21,800
Total Higher Education	\$ 60,500	\$ 47,100
Department of Mental Health and Mental Retardation		
1. Administrative Services	\$ 7,600	\$ 42,000
2. Alcohol and Drug Abuse Community Services	-	3,478,600
3. Community Mental Health Program	697,300	1,842,900
4. Community Mental Retardation Programs	461,300	1,160,000
Total		
Department of Mental Health and Mental Retardation	\$1,166,200	\$6,523,500
Department of Youth Development		
1. Wilder Youth Center	\$ -	\$ 15,000
2. Taft Youth Center	-	77,700
3. Spencer Youth Center	-	17,900
Total		
Department of Youth Development	\$ -	\$ 110,600
Department of Military		
1. Air National Guard	\$ 16,500	\$ -
Department of Health and Environment		
1. Air Pollution Control	\$ 30,200	\$ 72,500
2. Water Quality Control	175,500	80,400
3. Ground Water	97,200	354,900
4. Supplemental Food Program	2,400,000	4,500,000
5. Aid to Local Health Units	-	2,000,000
Total Department of Health and Environment	\$2,702,900	\$7,007,800
Department of Human Services		
1. Division of Administration	\$ 30,100	\$ 15,300
2. Child Support	2,193,200	1,034,100
3. Social Services Division	112,000	514,300

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4. Community Services	556,900	1,869,800
5. Rehabilitative Services	462,000	1,453,200
Total		
Department of Human Services	\$3,354,200	\$4,886,700
Tennessee Bureau of Criminal Investigation		
1. Tennessee Bureau of Criminal Investigation	\$ 300,000	\$ -
Department of Safety		
1. Division of Administration	\$ -	\$ 35,000
TOTAL	\$18,158,000	\$25,681,200

The Commissioner of Finance and Administration is authorized to establish 35 full-time positions and 11 part-time and seasonal positions and to allocate them to the appropriate organizational units including one (1) full-time position to the State Board of Education. Any unexpended balances at June 30, 1989, of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 1989.

AND FURTHER AMEND by adding to Section 40 of the bill, as introduced, a new sentence to be inserted after the first sentence of Item 3. to read:

"The department may implement a pilot loan program for industrial building construction in certain economically depressed counties."

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, the following new items to read:

Item \_\_\_\_\_. From the appropriations made in Sections 1 and 4 of this act to benefit the Tennessee Consolidated Retirement System the sum of \$176,100.00 is hereby appropriated and earmarked to fund the provisions of Senate Bill 355/House Bill 276, the retirement system housekeeping bill. This appropriation is subject to the passage of Senate Bill 355 / House Bill 276.

Item \_\_\_\_\_. From the appropriations made in Section 1, Title III-14 to the Department of Mental Health and Mental Retardation, there is hereby appropriated a sum sufficient to provide state matching funds for the federal Stewart B. McKinney homeless projects program. This appropriation is subject to approval by the Commissioner of Finance and Administration and the Commissioner is authorized to transfer funds within the department as may be required.

Item \_\_\_\_\_. From the appropriations made in Section 1, Title III-25, to the Department of Correction for capital

of \$500,000.00 to the Department of Economic and Community Development for the purpose of funding a grant for the Recoil Mass Spectrometer (RMS) project in Oak Ridge. This appropriation is contingent upon the U.S. Department of Energy making a grant for the project.

Item \_\_\_\_\_. Any unexpended balances of the appropriations made under Section 1, Title III-8, of Chapter 1037, Public Acts of 1988, to the Department of Economic and Community Development may be reappropriated to be expended in the 1989-90 fiscal year and such appropriations may be carried forward in a reserve into the fiscal year beginning July 1, 1989.

From the reappropriated funds there is hereby earmarked the sum of \$350,000.00 for the sole purpose of making a grant to establish a nursery research station in Warren County under the jurisdiction of Tennessee State University. The funds shall be provided to Tennessee State University to match a federal "Capacity Building Grant" and shall be contingent upon receiving the federal grant. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. Subject to the passage of Senate Bill No. 1542 / House Bill No. 1524, there is hereby appropriated a sum not to exceed \$250,000.00 from the Indigent Health Care Risk Fund to provide for necessary administrative staff in the Department of Health and Environment and the Department of Finance and Administration. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. From the appropriation made in Section 1, Title III-7, Item 26, to the Department of Correction, the department is authorized to make a grant of up to \$50,000.00 each to "Project Return" and to Dismas House.

Item \_\_\_\_\_. From the unexpended balances of the appropriations made in Section 1, Title III-5, of Chapter 1037, Public Acts of 1988, to the Department of Conservation, the sum of \$50,000.00 is hereby reappropriated to be expended in the 1989-90 fiscal year and such appropriation shall be carried forward in a reserve into the fiscal year beginning July 1, 1989. The reappropriated funds are hereby earmarked for the purpose of making a grant to the City of Knoxville for Chilhowee Park; provided that the city matches such funds on a one-to-one basis.

Item \_\_\_\_\_. To the extent that funds are made available from the Indigent Health Care Risk Fund (Senate Bill No. 1542 / House Bill No. 1524), the Commissioner of Finance and Administration is directed to adjust the appropriations made in Section 1, Title III-14 and in Section 4, Title III-15 to



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the state mental health institutes. This appropriation is subject to the passage of Senate Bill No. 1542 / House Bill No. 1524.

Item \_\_\_\_\_. From the appropriations made in Section 1, Title III-14, of Chapter 1037, Public Acts of 1988, to the Department of Mental Health and Mental Retardation, any unexpended balances not to exceed \$1,230,700.00 may be reappropriated to be expended in the 1989-90 fiscal year and such appropriations may be carried forward in a reserve into the fiscal year beginning July 1, 1989. The reappropriation and carry forward of these funds is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. Other provisions of the law to the contrary notwithstanding, any proceeds from the sale of surplus land and real property in Davidson County are hereby reappropriated to the Department of Finance and Administration to provide for the state's office space and support facilities requirements in Davidson County.

Item \_\_\_\_\_. If any appropriation in this act fails to designate a department or agency of state government to be responsible for the administration of the appropriation, then the Commissioner of Finance and Administration is hereby directed to designate the state department or agency to administer the appropriation.

Item \_\_\_\_\_. From the funds available to the Tennessee Growth Fund, there is hereby transferred the sum of one million dollars (\$1,000,000) to the revolving fund of the Day Care Facilities Loan Guarantee Program and the sum is hereby appropriated for the purpose of implementing Senate Bill No. 547 / House Bill No. 1096. This appropriation is subject to Senate Bill No. 1175 / House Bill No. 640 and Senate Bill No. 547 / House Bill No. 1096 becoming law.

AND FURTHER AMEND by adding a new item to Section 46 of the bill, as introduced, to read:

Item \_\_\_\_\_. From the appropriations made for systems development and other data processing activities in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to establish and charge the costs of information systems analyst positions and other data processing positions to said appropriations. The Commissioner of Finance and Administration is further authorized to transfer between departments and agencies existing information systems analysts positions, other data processing positions and the funding provided in this act for transferred positions. This appropriation is subject to approval by the Information Systems Council.

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Rep. Bragg moved to amend as follows:

Amendment No. 1 to Amendment No. 2

AMEND Senate Bill No. 1154 by deleting the amendatory first paragraph from Section 36 on Page 93 which reads as follows:

"Section 36. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. At June 30, 1989, any unexpended balances of appropriations made under Chapter 1037, Public Acts of 1988, listed in this section may be reappropriated to be expended in the 1989-90 fiscal year and such appropriations may be carried forward in a reserve into the fiscal year beginning July 1, 1989. The reappropriation and carry forward of these funds is subject to approval by the Commissioner of Finance and Administration. The unexpended balances to be reappropriated are the appropriations made to the:"

and by substituting instead the following:

"Section 36. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. At June 30, 1989, any unexpended balances of appropriations made under Chapter 1037, Public Acts of 1988, listed in this section are hereby reappropriated to be expended in the 1989-90 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 1989. The reappropriation and carry forward of these funds is subject to approval by the Commissioner of Finance and Administration. The unexpended balances to be reappropriated are the appropriations made to the:"

AND FURTHER AMEND by deleting the amendatory Item 23 in Section 41 on Page 94 which reads as follows:

Item \_\_\_\_\_. The unexpended balances of the appropriations made under provisions of Chapter 1037, Public Acts of 1988, for data processing services, systems development and data processing equipment purchases and leases may be reappropriated to be expended for such purposes in the 1989-90 fiscal year. This appropriation is subject to approval by the Commissioner of Finance and Administration.

and by substituting instead the following:

Item \_\_\_\_\_. The unexpended balances of the appropriations made under provisions of Chapter 1037, Public Acts of 1988, for data processing services, systems development and data processing equipment purchases and leases are hereby reappropriated to be expended for such

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purposes in the 1989-90 fiscal year. This appropriation is subject to approval by the Information System Council and the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting the amendatory Item on Page 125 which reads as follows:

Item \_\_\_\_\_. Any unexpended balances of the appropriations made under Section 1, Title III-8, of Chapter 1037, Public Acts of 1988, to the Department of Economic and Community Development may be reappropriated to be expended in the 1989-90 fiscal year and such appropriations may be carried forward in a reserve into the fiscal year beginning July 1, 1989.

From the reappropriated funds there is hereby earmarked the sum of \$350,000.00 for the sole purpose of making a grant to establish a nursery research station in Warren County under the jurisdiction of Tennessee State University. The funds shall be provided to Tennessee State University to match a federal "Capacity Building Grant" and shall be contingent upon receiving the federal grant. This appropriation is subject to approval by the Commissioner of Finance and Administration.

and by substituting instead the following:

Item \_\_\_\_\_. Any unexpended balances of the appropriations made under Section 1, Title III-8, of Chapter 1037, Public Acts of 1988, to the Department of Economic and Community Development are hereby reappropriated to be expended in the 1989-90 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 1989.

From the reappropriated funds there is hereby earmarked the sum of \$350,000.00 for the sole purpose of making a grant to establish a nursery research station in Warren County under the jurisdiction of Tennessee State University. The funds shall be provided to Tennessee State University to match a federal "Capacity Building Grant" and shall be contingent upon receiving the federal grant. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting the following amendatory Item on Page 127 which reads as follows:

Item \_\_\_\_\_. From the appropriations made in Section 1, Title III-14, of Chapter 1037, Public Acts of 1988, to the Department of Mental Health and Mental Retardation, any unexpended balances not to exceed \$1,230,700.00 may be reappropriated to be expended in the 1989-90 fiscal year and such appropriations may be carried forward in a reserve

into the fiscal year beginning July 1, 1989. The reappropriation and carry forward of these funds is subject to approval by the Commissioner of Finance and Administration.

and by substituting instead the following:

Item \_\_\_\_\_. From the appropriations made in Section 1, Title III-14, of Chapter 1037, Public Acts of 1988, to the Department of Mental Health and Mental Retardation, any unexpended balances not to exceed \$1,230,700.00 are hereby reappropriated to be expended in the 1989-90 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 1989. The reappropriation and carry forward of these funds is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new section immediately preceding the original Section 49 and by renumbering subsequent sections accordingly:

Section \_\_\_\_\_. Expenditure of any funds subject to the jurisdiction of the Information System Council appropriated for systems development, the purchase of computer software or the purchase of computer hardware shall be subject to the approval of such Council.

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

Rep. Bragg moved that Amendment No. 2, as amended, be adopted, which motion prevailed.

Thereupon, Rep. Bragg moved that Senate Bill No. 1154, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odum, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner

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(Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

\*House Bill No. 0662 -- Sentencing -- Revises criminal law. Amends TCA, Titles 37, 39, 40, 55, 63, 68.

On motion, House Bill No. 662 was made to conform with Senate Bill No. 1194.

On motion, Senate Bill No. 1194, on same subject, was substituted for House Bill No. 662.

Rep. Davis (Knox) moved that Senate Bill No. 1194 be passed on third and final consideration.

Rep. Anderson moved to amend as follows:

#### Amendment No. 1

AMEND Senate Bill No. 1194 by adding the following new subsection (c) to Section 40-35-112 of SECTION 1 and relettering the existing subsections accordingly:

(c) Notwithstanding the provisions of this act to the contrary, the penalty or imprisonment for aggravated rape, or any lesser included offense of aggravated rape, shall not be less than the penalty or sentence authorized by the law in effect on the day immediately before the effective date of this act and to that extent the provisions of law relative to such former penalties and sentence are revived and reenacted in their entirety as if a part of this amendment.

Rep. Burnett moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes.....	41
Noes.....	54

Representatives voting aye were: Bell, Bragg, Burnett, Cain, Collier, Copeland, Cross, Curlee, Davidson, Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Givens, Head, Herron, Hillis, Jones, R. (Shelby), Kernell, Kisber, Love, McAfee, Miller, Moody, Moore (Shelby), Naifeh, Napier, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Shirley, Turner Hamilton), Turner, L. (Shelby), Williams, Wix, Mr. Speaker Murray

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Representatives voting no were: Anderson, Armstrong, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Crain, Davis (Cocke), Davis (Gibson), Duer, Gaia, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, McDaniel, Moore (Lawrence), Niceley, Odom, Peroulas, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Wolfe, Wood, Yelton -- 54.

Thereupon, Rep. Anderson renewed his motion to adopt Amendment No. 1.

Rep. Bivens moved the previous question, which motion prevailed.

Thereupon, Rep. Anderson renewed the motion to adopt Amendment No. 1, which motion failed by the following vote:

Ayes. . . . .	38
Noes. . . . .	55
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bittle, Buck, Byrd, Callicott, Chiles, Clark, Crain, Davis (Gibson), Gaia, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Hobbs, Huskey, Jackson, Kent, McDaniel, Niceley, Odom, Peroulas, Robinson (Davidson), Scruggs, Severance, Shirley, Sipes, Stamps, Starnes, Turner, C. (Shelby), Ussery, Webb, Wolfe, Wood -- 38.

Representatives voting no were: Bell, Bivens, Bragg, Burnett, Cain, Coffey, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Garrett, Givens, Good, Hawkins, Head, Herron, Hillis, Holcomb, Holt, Hubbard, Jones, R. (Shelby), Kernell, Kisber, Love, McAfee, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Stallings, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Whitson, Williams, Wix, Mr. Speaker Murray -- 55.

Representatives present and not voting were: Jones, U. (Shelby) -- 1.

Rep. Anderson moved to amend as follows:

Amendment No. 2

AMEND Senate Bill 1194 by deleting from the first sentence of subsection (a) of Section 39-11-501 of Section 1 as amended by Senate Amendment 19 the words "is a defense to prosecution" and substituting instead the words "is an affirmative defense to prosecution".

FURTHER AMEND by adding the following new subsection to Section 39-11-204 of Section 1:

( ) Notwithstanding the provisions of this section to the contrary, if a person intends to rely upon the affirmative defense of insanity as established in Section 39-11-501, such person must prove the defense by clear and convincing evidence and if the existence of the affirmative defense of insanity is submitted to the jury, the court shall instruct the jury that such affirmative defense must be established by clear and convincing evidence.

Rep. Davis (Knox) moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	65
Noes. . . . .	28

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Hawkins, Head, Herron, Hillis, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Shirley, Stallings, Turner (Hamilton), Turner, L. (Shelby), West, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 65.

Representatives voting no were: Anderson, Armstrong, Bittle, Byrd, Callicott, Chiles, Copeland, Duer, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Hobbs, Kent, Odom, Peroulas, Robinson (Washington), Scruggs, Severance, Sipes, Stamps, Starnes, Turner, C. (Shelby), Ussery, Webb -- 28.

Rep. Burnett moved to amend as follows:

#### Amendment No. 3

AMEND Senate Bill No. 1194 by deleting from SECTION 1 in Section 39-11-106, Subdivision (32) in its entirety and by substituting instead the following:

"Recorded device" means the tangible medium upon which sounds and/or images are recorded or otherwise stored. "Recorded device" includes any original phonograph record, disc, tape, audio, or video cassette, wire, film or other medium now known or later developed on which sounds and/or images are or can be recorded or otherwise stored, or any copy or reproduction which duplicates, in whole or in part, the original.

AND FURTHER AMEND by deleting from SECTION 1 in Section 39-14-140, Subsection (a) in its entirety and by substituting instead the following:

(a) Every recorded device knowingly sold or transferred for commercial advantage or private financial gain, advertised or offered for sale or resale, caused to be sold or resold, rented or transported, caused to be rented or transported, or possessed for the purpose of sale by any manufacturer, distributor, wholesaler, or retail merchant shall contain on its packaging clearly and conspicuously the true name of the performer or group; provided, however, the term "manufacturer" shall not include the manufacturer of the cartridge or casing itself.

AND FURTHER AMEND by deleting from SECTION 1 in Section 39-14-141, the language "to the state as provided in title 40, chapter 33, part 1" and by substituting instead the language "under the same procedures used for the forfeiture of conveyances pursuant to Tennessee Code Annotated, Title 40, Chapter 33, Part 1.

AND FURTHER AMEND by deleting from SECTION 8 in Section 40-35-111(e)(3) the words "Class B misdemeanor" and substituting instead the words "Class C misdemeanor".

AND FURTHER AMEND by adding the following section which shall be designated as Section 39-14-137:

Section 39-14-137. Fraudulent Qualifying for Set-aside Contracts

(a)(1) No person shall knowingly commit or engage in any false or fraudulent conduct, representation, or practice for the purpose of qualifying, or assisting another in qualifying, to participate in a set-aside program administered by or through an agency of state or local government.

(2) As used in this subsection "Set-aside program" means a program whereby a portion of governmental funds allocated for the procurement of goods or services is reserved or utilized for the acquisition of such goods or services from any one (1) or more categories of:

(A) Disadvantaged businesses, as described by Tennessee Code Annotated, Section 4-26-102(4);

(B) Small businesses, as described by Tennessee Code Annotated, Section 12-3-802(3); or

(C) Minority-owned businesses, as described by Tennessee Code Annotated, Section 12-3-802(5).



(b) Violation of subsection (a) is punishable as theft pursuant to Section 39-14-105.

(c) Any contract entered into as a direct result of a violation of subsection (a) shall be null and void and the court shall order repayment of all government funds paid pursuant thereto which may be reasonably construed as constituting net profit or personal enrichment for the guilty party or parties. Repayment of funds pursuant to this subsection shall be in addition to payment of any fine imposed pursuant to subsection (b).

On motion, Amendment No. 3 was adopted.

Rep. Henry (Putnam) moved to amend as follows:

**Amendment No. 4**

Amend Senate Bill No. 1194 by deleting from SECTION 1 in Section 39-13-209 subsection (b) in its entirety and by substituting instead the following:

(b) Vehicular homicide is a Class B felony.

Rep. Davis (Knox) moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	34

Representatives voting aye were: Bell, Bivens, Bragg, Burnett, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Hawkins, Head, Henry (Roane), Herron, Hillis, Holt, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, Love, McAfee, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Stallings, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Wix, Yelton, Mr. Speaker Murray -- 57.

Representatives voting no were: Anderson, Armstrong, Buck, Byrd, Callicott, Chiles, Duer, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Hobbs, Holcomb, Hubbard, Jackson, Kent, McDaniel, Moore (Shelby), Niceley, Odom, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Starnes, Turner, C. (Shelby), Ussery, Wolfe, Wood -- 34.

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to present not voting on the motion to table Amendment No. 4 to Senate Bill No. 1194 and have this statement entered in the Journal.

Rep. Phillip Pinion

REGULAR CALENDAR, CONTINUED

Rep. Burnett moved to amend as follows:

Amendment No. 5

Amend Senate Bill No. 1194 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ Tennessee Code Annotated, Section 22-1-102, is amended by deleting subsection (a) in its entirety and substituting instead the following language:

(a) The following persons are incompetent to act as jurors:

(1) persons convicted of certain infamous offenses, specially designated in this code;

(2) persons convicted of any offense involving the theft of property or services or any offense punishable as theft as graded by Tennessee Code Annotated, Section 39-14-105;

(3) Persons convicted of perjury or subornation of perjury;

(4) persons of unsound mind and habitual drunkards.

On motion, Amendment No. 5 was adopted.

Rep. Buck moved to amend as follows:

Amendment No. 6

Amend Senate Bill No. 1194 by deleting Section 39-13-507 of Section 1 in its entirety and substituting instead the following:

A person does not commit aggravated rape, rape, aggravated sexual battery or sexual battery as defined in this part, or does not commit an attempt to commit any of

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such offenses, if the victim is his or her legal spouse, unless the couple is living apart and one of them has filed for separate maintenance or divorce.

Rep. Burnett moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	76
Noes. . . . .	15
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Bragg, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Cross, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Halteman, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Mr. Speaker Murray -- 76.

Representatives voting no were: Bittle, Buck, Crain, Curlee, Davis (Gibson), Gunnels, Harrill, Haun, Hobbs, Jackson, Moody, Niceley, Shirley, Wolfe, Wood -- 15.

Representatives present and not voting were: Pinion -- 1.

Rep. Henry (Putnam) moved to amend as follows:

Amendment No. 7

Amend Senate Bill No. 1194 by adding to SECTION 8 in Section 40-35-303 before the period at the end of subsection (a) the following:

or section 39-13-402 or section 39-13-504.

On motion, Amendment No. 7 was adopted.

Thereupon, Rep. Williams moved that Senate Bill No. 1194, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	84
Noes. . . . .	9

Representatives voting aye were: Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Copeland, Crain,

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Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 84.

Representatives voting no were: Anderson, Bell, Chiles, Harrill, Hassell, Haun, Holcomb, Kent, Phillips -- 9.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1194 and have this statement entered in the Journal.

Rep. Joe Armstrong

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 1194 and have this statement entered in the Journal.

Rep. William H. Collier

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1194 and have this statement entered in the Journal.

Rep. F. H. Crain

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 1194 and have this statement entered in the Journal.

Rep. Rufus Jones

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**MOTION TO RECESS**

On motion of Rep. Naifeh, the House recessed until 2:00 p.m.

**SIGNED**  
**May 24, 1989**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 369, 474, 1123 and 1409; and Senate Joint Resolution(s) No(s). 289, 290 and 291.

**SIGNED**  
**May 24, 1989**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 103, 205, 206, 226, 227, 585, 589, 594, 666, 917, 1348, 1504, 1505, 1519 and 1526; and Senate Joint Resolution(s) No(s). 64, 78, 154, 176 and 232.

**ENGROSSED BILLS**  
**May 24, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 464; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**  
**May 24, 1989**

The Speaker announced that he had signed the following: House Bill(s) No(s). 162, 443, 466, 468, 919, 1096, 1111, 1129, 1170, 1210, 1272, 1338, 1524, 1537, 1539 and 1540.

**ENGROSSED BILLS**  
**May 24, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 519 and 520; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE

May 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 162, 443, 466, 468, 919, 1096, 1111, 1129, 1170, 1210, 1272, 1338, 1524, 1537, 1539 and 1540; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

ENGROSSED BILLS

May 24, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1542, 1543, 1544, 1545, 1546 and 1547; and House Joint Resolution(s) No(s). 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 446, 447, 448, 449, 450, 451, 452 and 454; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 24, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 162, 443, 466, 468, 919, 1096, 1111, 1129, 1170, 1210, 1272, 1338, 1524, 1537, 1539 and 1540; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 24, 1989

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 718.

The Senate nonconcurrent in House Amendment(s) No(s). 2.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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MESSAGE FROM THE SENATE

May 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill No. 827.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

May 24, 1989

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 609.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

May 24, 1989

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 899.

The Senate concurred in House Amendment(s) No(s). 3, and nonconcurred in House Amendment(s) No(s). 1 and 2.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

May 24, 1989

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 747.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 1, 3 and 4.

The Speaker appointed a Conference Committee composed of Senators Albright, Dunavant and Womack to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 747.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY

**MESSAGE FROM THE SENATE**

**May 24, 1989**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 419, 420, 421, 422, 423, 424, 426 and 445; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 24, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill No. 197.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 1, 2, 3, 4, 5, 12, 13, 14, 15, 18, 35, 36, 37, 38, 40 and 41.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Murray.

On motion of Mr. Naifeh, the roll call was dispensed with.

**RULES SUSPENDED**

Rep. Rhinehart moved to suspend Rule No. 59 to allow all messages coming over from the Senate to be placed on the Message Calendar for Thursday, May 25, 1989, at the sponsor's request, which motion prevailed.

**RULES SUSPENDED**

Rep. Rhinehart moved to suspend Rule No. 12 so that the Message Calendar may be taken up as the first order of business for Thursday, May 25, 1989, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

\*Senate Joint Resolution No. 0120 -- Memorials, Government Officials -- Requests Board of Education to study and report on problem of students working.



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Rep. Hillis moved that Senate Joint Resolution No. 120 be concurred in.

Rep. Davidson moved to amend as follows:

**Amendment No. 1**

AMEND Senate Joint Resolution No. 120 by adding after the words "state board of education" in the caption and in the first resolving clause the words "and the state department of education".

AND FURTHER AMEND in the fourth resolving clause by adding after the words "state board of education" the words "and to Dr. Charles Smith, commissioner of the state department of education".

On motion, Amendment No. 1 was adopted.

**MOTION**

Rep. Bragg moved to hold all study committee resolutions coming from the Senate until further notice, which motion prevailed. Thereupon, Senate Joint Resolutions Nos. 120, 121, and 122, were held on the Clerk's desk.

**REGULAR CALENDAR, CONTINUED**

**\*Senate Joint Resolution No. 0121 -- Memorials, Government Officials -- Urges state board of education to study the effects of cooperative education on students' school performance.**

Held on the Clerk's desk, pending resolution of the study resolution controversy with the Senate.

**\*Senate Joint Resolution No. 0122 -- Memorials, Government Officials -- Urges state board of education to develop program where retired teachers are used to tutor at risk students on volunteer basis for LEAs.**

Held on the Clerk's desk, pending resolution of the study resolution controversy with the Senate.

**\*House Bill No. 0267 -- Corporations, Not for Profit -- Removes liability from suit for certain members of nonprofit corporations under certain circumstances. Amends TCA 48-58-601.**

On motion, House Bill No. 267 was made to conform with Senate Bill No. 424.

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On motion, **Senate Bill No. 424**, on same subject, was substituted for House Bill No. 267.

Rep. Curlee moved that Senate Bill No. 424 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Herron -- 1.

A motion to reconsider was tabled.

**House Bill No. 1371** -- Corporations, Not for Profit -- Exempts officers of non-profit corporations from personal liability for judgments against such corporations. Amends TCA, Title 48, Ch. 58, Pt. 6.

Further consideration of House Bill No. 1371, previously considered on May 10, 1989, at which time it was reset to the Calendar for May 24, 1989.

On motion, House Bill No. 1371 was made to conform with Senate Bill No. 1038.

On motion, **Senate Bill No. 1038**, on same subject, was substituted for House Bill No. 1371.

Rep. Burnett moved that Senate Bill No. 1038 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell,

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Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

**\*House Bill No. 0200 -- Economic and Community Development --**  
Creates small and minority business advisory council. Amends TCA, Title 4, Ch. 26.

Rep. Dixon moved that House Bill No. 200 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

**Amendment No. 1**

AMEND House Bill No. 200 by deleting subsection (b) of Section 3 and substituting the following:

The staff of the office of business enterprise, created by Section 4-26-101, shall provide staffing for the council.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Dixon moved that House Bill No. 200, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel,

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Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

**House Bill No. 0971 -- Mental Health and Mental Retardation, Dept. of --** Establishes new procedures for licensure under Mental Health and Mental Retardation Licensure Law; creates six member review panel for certain purposes. Amends TCA, Title 33, Ch. 2, Pt. 5.

On motion, House Bill No. 971 was made to conform with Senate Bill No. 960.

On motion, **Senate Bill No. 960**, on same subject, was substituted for House Bill No. 971.

Rep. Cain moved that Senate Bill No. 960 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0056 --** Memorials, Government Officials -- Requests department of employment security to study establishing pilot program to give cash bonus for employment.

Rep. Herron moved that House Joint Resolution No. 56 be adopted, which motion prevailed by the following vote:

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Ayes. . . . . 91  
Noes. . . . . 1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Sipes -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 0155 -- Mental illness -- Grants mental health professionals immunity from certain civil suits resulting from violent acts of patients. Amends TCA, Title 33, Ch. 10.**

Further consideration of House Bill No. 155, previously considered on April 10, April 13, and April 27, 1989. On April 10, Amendments Nos. 1 and 2 were adopted and the bill was reset to April 13. On April 27, 1989, it was set to the calendar for the last day of this session. On May 17, the bill was set as a special order for May 24, 1989.

On motion, House Bill No. 155 was made to conform with Senate Bill No. 602.

On motion, Senate Bill No. 602, on same subject, was substituted for House Bill No. 155.

Rep. West moved that Senate Bill No. 602 be passed on third and final consideration.

Rep. West moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 602 by deleting from Section 1 subsection 33-10-103(b)(2) and by redesignating the remaining subsections appropriately.

On motion, Amendment No. 1 was adopted.

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Thereupon, Rep. West moved that Senate Bill No. 602, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	73
Noes. . . . .	15
Present and not voting. . . . .	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Cross, Curlee, Davidson, Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Halteman, Hassell, Hawkins, Head, Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Scruggs, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 73.

Representatives voting no were: Callicott, Davis (Cocke), Davis (Gibson), Good, Gunnels, Harrill, Haun, Hobbs, Huskey, McDaniel, Purcell, Robinson (Washington), Severance, Stamps, Whitson -- 15.

Representatives present and not voting were: Crain, Dixon -- 2.

A motion to reconsider was tabled.

**House Bill No. 0778** -- Taxes, Income -- Enacts Volunteer State Investment Fund Act of 1989. Amends TCA, Title 67, Ch. 2, Pt. 1.

On motion, House Bill No. 778 was made to conform with Senate Bill No. 1014.

On motion, **Senate Bill No. 1014**, on same subject, was substituted for House Bill No. 778.

Rep. Chiles moved that Senate Bill No. 1014 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 1014 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 67-2-104, is amended by adding a new subsection as follows:

( ) Interest income to a beneficiary under a wrap-around deed of trust shall be reduced by the amount of interest income paid by the beneficiary on prior liens incorporated into the wrap-around deed of trust. The provisions of this subsection shall apply to wrap around deeds of trust executed on or after January 1, 1989.

Section \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Chiles moved that Senate Bill No. 1014, as amended, be passed on third and final consideration.

Rep. Bragg moved that we reconsider our action in adopting Amendment No. 1, which motion prevailed. On motion of Rep. Bragg, Amendment No. 1 was withdrawn.

Thereupon, Rep. Chiles moved that Senate Bill No. 1014 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives present and not voting were: Hobbs -- 1.

A motion to reconsider was tabled.

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**House Bill No. 0972 -- Solid Waste Disposal -- Enacts "Tennessee Solid Waste Management Act". Amends TCA, Title 68.**

On motion, House Bill No. 972 was made to conform with Senate Bill No. 735.

On motion, **Senate Bill No. 735**, on same subject, was substituted for House Bill No. 972.

Rep. Kernell moved that Senate Bill No. 735 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 735 by deleting all language following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 68-46-108, is amended by deleting subsection (f) in its entirety and by substituting instead the following:

(f) The department shall give public notice of an application for a permit for a commercial facility for the storage, treatment, or disposal of hazardous waste within thirty (30) days of its receipt. The commissioner shall hold a community meeting concerning such a permit application within forty-five (45) days of the publication of the public notice. This shall be in addition to the public notice and hearing given after a draft permit or denial is issued. The county legislative body of the county in which the facility is proposed, the governing body of the municipality, if any, in which the facility is proposed and the governing body of any municipality within one (1) mile of the proposed facility shall be represented at the community meeting. The board shall prescribe in rules the procedures for such notices and meetings. The local governing bodies participating in the community meeting shall have the opportunity to prepare reports representing their interpretation of the concerns of the community, and shall submit such reports to the department within ninety (90) days after the community meeting. The report may include any summaries of issues that the local governing bodies feel appropriate. Failure by any of the local governing bodies to submit such report within the ninety (90) day period shall be deemed a waiver of the right of such local governing body to submit such report. The department shall consider these reports in granting the permit. The commissioner shall issue or deny the permit within ninety (90) days of the close of the



public comment period on the draft permit. The applicant shall reimburse the department for the expense of all public notification. Failure to make such payment shall be grounds for denial of the permit.

Section 2. Tennessee Code Annotated, Sections 68-46-219 and 68-46-220, are amended by deleting the sections in their entirety.

Section 3. Tennessee Code Annotated, Title 68, Chapter 46, is amended by adding a new section as follows:

Section \_\_\_\_\_. Subject to any necessary appropriation by the general assembly, the governor is authorized to enter into one (1) or more interstate agreements governing the import and export of hazardous waste between this state and other states as may be required by the Comprehensive Environmental Response, Compensation and Liability Act, Section 104(c)(9), which is codified at 42 U.S.C., Section 9604(c)(9), as amended.

Section 4. Tennessee Code Annotated, Section 68-46-108, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) The commissioner may require any applicant for permitting of a hazardous waste storage facility, treatment facility, or disposal facility, and any such permittee, to have and maintain financial responsibility as may be necessary or desirable for bodily injury and property damage to third parties caused by sudden or nonsudden accidental occurrences arising from operations of the facility. The board shall promulgate and adopt rules and regulations as necessary or desirable to implement this provision.

Section 5. Tennessee Code Annotated, Section 68-46-107(d), is amended by adding the following language:

(10) Regulations which shall be adopted on or before January 1, 1991, and which shall establish conditions or criteria for the siting of commercial hazardous waste storage, treatment, and disposal facilities in Tennessee. These conditions or criteria shall consider the differences between storage, treatment, and disposal facilities, and shall address, but not be limited to, the following:

(A) siting in floodplains, wetlands, seismic risk zones, and in areas underlain by mature karst formations;

(B) depth to groundwater and seasonal high water tables;

(C) distances from public and private drinking water supplies;

(D) distances from occupied dwellings including but not limited to, private residences, public schools and other buildings, and commercial buildings, and buildings not associated with the facility.

(E) distances from scenic, cultural and recreational areas;

(F) the adequacy of the transportation routes to accommodate any increased traffic;

(G) the adequacy of the emergency response capabilities; and

(H) the economic impacts on the local community and the surrounding communities.

Section 6. Tennessee Code Annotated, Section 68-46-108, is amended by adding a new subsection as follows:

(m) No new commercial hazardous waste permit applications received by the department after the effective date of this act shall be considered, approved or denied by the commissioner until the board has complied with Section 68-46-107(d)(10).

Section 7. Tennessee Code Annotated, Section 68-46-113(a), is amended by designating the existing subdivision (a)(2) as subdivision (a)(2)(A) and by adding the following new subdivision (a)(2)(B):

(2)(B) Notwithstanding the provisions of subdivision (a)(2)(A) to the contrary, any person aggrieved by a final decision of the commissioner concerning the permitting of any commercial hazardous waste transportation, storage or disposal facility may petition the board for review. Review proceedings may be instituted by filing with the commissioner a written petition within thirty (30) days after publication of the commissioner's final decision. Upon receipt of any such petition the commissioner shall transmit to the board a copy of the record of his decision. This record shall consist of the permit application, copies of notices required by this chapter, geological and other technical reports, comments received from the permit applicant and the public, and the department's evaluation of all of the preceding. The hearing before the board shall be a de novo hearing. The board may affirm, reverse or modify the commissioner's decision. As used in this

subdivision "person aggrieved" shall be limited to persons applying for permits, persons who own property or live within a three (3) mile radius of the facility or site that is proposed for permitting, cities and counties which have authority to submit reports pursuant to Section 68-46-108(f), and any resident of any such city or county. Judicial review of the board's determination shall be in the manner prescribed in Tennessee Code Annotated, Section 4-5-322 of the Uniform Administrative Procedures Act.

Section 8. Tennessee Code Annotated, Section 68-46-203, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a)(1) For fiscal years 1989-1990 through 1990-1991 there is levied a remedial action fee on the generation and management of hazardous waste in a sum sufficient to produce total revenue of two million dollars (\$2,000,000). The board shall promulgate a fee structure sufficient to produce such revenue, and revenue required in subsequent years by subsection (e) in accordance with the following:

(A) The maximum amount of the remedial action fee for generators shall not exceed fifteen thousand dollars (\$15,000), and the minimum amount of such fee shall not be less than six hundred dollars (\$600). Such fees shall be set by the board upon a scale based on size classification of the generator as determined by waste generated during the prior fiscal year. Such fees shall also be structured by the board to encourage recycling of hazardous wastes by imposing lower fees on generators who recycle hazardous wastes. Such fees shall also be structured by the board to discourage land disposal of certain hazardous wastes by imposing higher fees on those who produce extremely hazardous substances that are to be landfilled;

(B) In addition to the above fee, there shall be collected from those generators who ship hazardous waste off-site for treatment or disposal a fee for each ton so shipped which shall not exceed fourteen dollars (\$14.00) nor be less than four dollars (\$4.00) for each ton so shipped, and

(C) The fee collected pursuant to subdivision (a)(1)(B) shall also apply to any out-of-state waste being imported into the state to a commercial facility for treatment or disposal; and

(D) The remedial action fee collected from any permitted transporter shall not be less than two hundred dollars (\$200) nor more than five hundred fifty dollars (\$550).

(2) For fiscal year 1991-1992 and fiscal years thereafter there is levied a remedial action fee on the generation and management of hazardous waste in a sum sufficient to produce total revenue of one million dollars (\$1,000,000). The board shall promulgate a fee structure sufficient to produce such revenue, and revenue required in subsequent years by subsection (e) in accordance with the following:

(A) The maximum amount of the remedial action fee for generators shall not exceed seven thousand five hundred dollars (\$7,500), and the minimum amount of such fee shall not be less than three hundred dollars (\$300). Such fees shall be set by the board upon a scale based on size classification of the generator as determined by waste generated during the prior fiscal year. Such fees shall also be structured by the board to encourage recycling of hazardous wastes by imposing lower fees on generators who recycle hazardous wastes. Such fees shall also be structured by the board to discourage land disposal of certain hazardous wastes by imposing higher fees on those who produce extremely hazardous substances that are to be landfilled;

(B) In addition to the above fee, there shall be collected from those generators who ship hazardous waste off-site for treatment or disposal a fee for each ton so shipped which shall not exceed seven dollars (\$7.00) nor be less than two dollars (\$2.00) for each ton so shipped, and

(C) The fee collected pursuant to subdivision (a)(2)(B) shall also apply to any out-of-state waste being imported into the state to a commercial facility for treatment or disposal; and

(D) The remedial action fee collected from any permitted transporter shall not be less than one hundred dollars (\$100) nor more than two hundred seventy-five dollars (\$275).

Tennessee Code Annotated, Section 68-46-203, is further amended by deleting subsection (e) in its entirety and by substituting instead the following:

(e) For fiscal years subsequent to 1988-1989, the board shall, by regulation, adjust such fees annually to a level necessary to maintain a minimum unobligated balance of three million dollars (\$3,000,000) and a maximum unobligated balance of ten million dollars (\$10,000,000) in the hazardous waste remedial action fund; provided, however, that the fees established pursuant to subsection (a) and this subsection shall be set at a level estimated to not exceed two million dollars (\$2,000,000) in fiscal years 1989-1990 through 1990-1991 and not to exceed one million dollars (\$1,000,000) in fiscal year 1991-1992 and thereafter. Provided, further, that the minimum fees established in subsection (a) shall not apply if such adjustment results in a fee structure which levies fees which are less than such minimum fees. The board shall promulgate such regulation on or before December 1 of each year.

Section 9. Tennessee Code Annotated, Section 68-46-203, is amended by deleting subsection (f) in its entirety.

Section 10. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 11. Sections 1 through 7 and Section 10 of this act shall take effect upon becoming a law, the public welfare requiring it. Section 8 of this act shall take effect July 1, 1989, the public welfare requiring it. Section 9 of this act shall take effect June 30, 1991.

On motion, Amendment No. 1 was adopted.

Rep. Davis (Knox) moved to amend as follows:

**Amendment No. 2**

AMEND Senate Bill No. 735 by deleting Section 1 in its entirety and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 68-46-219, is amended by adding a new subdivision (4) to subsection (b) as follows:

(4) Notwithstanding the provisions of Tennessee Code Annotated, Section 68-46-214, or any other statute, jurisdiction of any appeal of the decision of the county or municipality under this section shall

lie in the chancery court of the county in which the commercial facility for the storage, treatment or disposal of hazardous waste is to be located.

Tennessee Code Annotated, Section 68-46-219, is further amended by adding the following new subsection (c):

(c) The county or municipality shall apply the following criteria in deciding whether to approve or disapprove an application for a commercial facility. These conditions or criteria shall be applied in such a manner to consider the difference between storage, treatment and disposal facilities, and shall address, but not be limited to, the following:

(1) The facility is necessary to accommodate the waste needs of the area it is intended to serve consistent with any Tennessee capacity assurance plan approved by the environmental protection agency;

(2) The facility is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;

(3) The facility is located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding area;

(4) The facility is located outside the boundary of the 100 year flood plain;

(5) The plan of operations for the facility is designed to minimize the danger to the surrounding area from fire, spills, or other operational accidents;

(6) The traffic patterns and capacity of roads and bridges to and from the facility are so designed as to minimize the impact on existing traffic flow patterns;

(7) An emergency response plan for the facility has been prepared which includes notification, containment and evacuation procedures to be used in the event of an accidental release;

(8) If the facility will be located within a regulated recharge area, any applicable statutes and regulations for such areas have been met;

(9) If the facility is to be located in a county where the county or municipality has adopted a hazardous or solid waste disposal plan, the facility is consistent with the plan;

(10) Location of wetlands, seismic risk zones, and areas underlain by mature karst formations;

(11) Depth to ground water and seasonal high water tables;

(12) Distances from occupied dwellings including but not limited to, private residences, public schools, and other buildings, and commercial buildings not associated with the facility;

(13) Distance from scenic, cultural and recreational areas;

(14) The economic impacts on the local community and the surrounding communities;

(15) The previous operating experience and past record of convictions or admissions of violations of the applicant and any subsidiary or parent corporation in the field of solid or hazardous waste storage, treatment or disposal.

AND FURTHER AMEND by deleting Section 2 in its entirety and substituting instead the following:

Section 2. Tennessee Code Annotated, Sections 68-46-217, 68-46-218, and 68-46-219, are amended by deleting from each section the words "commercial landfill facility for the disposal of hazardous wastes" and substituting instead the words "commercial facility for the storage, treatment or disposal of hazardous waste".

Rep. Gunnels moved the previous question, which motion prevailed.

Thereupon, Rep. Davis (Knox) renewed his motion to adopt Amendment No. 2, which motion failed by the following vote:

Ayes. . . . .	41
Noes. . . . .	48
Present and not voting. . . . .	3

Representatives voting aye were: Armstrong, Burnett, Byrd, Callicott, Chiles, Crain, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Gaia, Gunnels, Halteman, Hassell, Hawkins, Head,

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Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Huskey, Jackson, Kent, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Niceley, Odom, Ridgeway, Shirley, Sipes, Stamps, Turner, C. (Shelby), Ussery, West, Williams, Wolfe, Wood -- 41.

Representatives voting no were: Anderson, Bell, Bittle, Bivens, Bragg, Clark, Coffey, Collier, Copeland, Curlee, DeBerry, DePriest, Dixon, Ellis, Givens, Good, Harrill, Haun, Hillis, Holt, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, Moody, Naifeh, Napier, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Webb, Wheeler, Yelton -- 48.

Representatives present and not voting were: Buck, Cain, Pinion -- 3.

Rep. Byrd moved to amend as follows:

Amendment No. 3

AMEND Senate Bill No. 735 by adding the following language as a new, appropriately numbered section immediately preceding the severability clause, and by renumbering subsequent sections accordingly:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 68-46-108, is amended by adding the following language at the end of subsection (b):

Such rules and regulations shall restrict the land disposal of certain hazardous wastes if:

(1) the waste because of its high toxicity, tendency to leach or migrate, or other characteristic represents an unusually high danger to public health or the environment; and

(2) an alternative to land disposal which is both technologically and economically feasible exists.

Rep. Naifeh moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	56
Noes. . . . .	36
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Clark, Coffey, Collier, Cross, Curlee, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Ellis,



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Givens, Good, Harrill, Haun, Hillis, Holt, Hubbard, Huskey, Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, Miller, Moody, Naifeh, Napier, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Webb, Wheeler, Wood, Yelton, Mr. Speaker Murray -- 56.

Representatives voting no were: Burnett, Byrd, Cain, Callicott, Crain, Davidson, Davis (Knox), Duer, Gaia, Garrett, Gunnels, Halteman, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Holcomb, Jackson, Jones, R. (Shelby), Kent, McDaniel, Moore (Lawrence), Moore (Shelby), Niceley, Odom, Ridgeway, Shirley, Sipes, Stamps, Turner, C. (Shelby), Ussery, West, Williams, Wolfe -- 36.

Representatives present and not voting were: Hobbs -- 1.

Rep. Kernell moved to amend as follows:

Amendment No. 4

Amend Senate Bill No. 735 by deleting all language contained within House Amendment No. 1 and by reviving all language deleted from the bill by such amendment.

On motion, Amendment No. 4 was adopted.

Rep. Robinson (Davidson) moved the previous question, which motion prevailed.

Thereupon, Rep. Kernell moved that Senate Bill No. 735, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	62
Noes. . . . .	35

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Givens, Good, Halteman, Harrill, Haun, Hawkins, Hillis, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, Moody, Moore (Lawrence), Naifeh, Napier, Peroulas, Phillips, Pinion, Pruitt, Purcell, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Webb, Wheeler, Whitson, Wood, Yelton, Mr. Speaker Murray -- 62.

Representatives voting no were: Armstrong, Burnett, Byrd, Callicott, Davidson, Davis (Knox), Duer, Gaia, Garrett, Gunnels, Hassell, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs,

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Holcomb, Jackson, Kent, McDaniel, Miller, Moore (Shelby), Niceley, Odom, Rhinehart, Ridgeway, Shirley, Sipes, Stamps, Turner, C. (Shelby), Ussery, West, Williams, Wix, Wolfe -- 35.

A motion to reconsider was tabled.

**House Bill No. 0024** -- County Government -- Makes County Budget Law of 1990 applicable in certain counties. Amends TCA, Title 5, Ch. 22.

Further consideration of House Bill No. 24, previously considered on May 17, 1989, at which time it was reset to the Calendar for May 24, 1989.

Rep. Hillis moved that House Bill No. 24 be re-referred to the Calendar and Rules Committee, which motion prevailed.

**House Bill No. 1010** -- Divorce and Annulment -- Authorizes divorce in certain circumstances; revises child support and procedural provisions for divorce decrees. Amends TCA 34-1-101; Title 36, Ch. 4, 36-5-101.

Further consideration of House Bill No. 1010, previously considered on May 17, 1989, at which time it was reset to the Calendar for May 24, 1989.

On motion, House Bill No. 1010 was made to conform with Senate Bill No. 778.

On motion, Senate Bill No. 778, on same subject, was substituted for House Bill No. 1010.

Rep. Williams moved that Senate Bill No. 778 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	5

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L.

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(Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 90.

Representatives voting no were: Callicott, Curlee, McAfee, Stamps, Wood -- 5.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 735 and have this statement entered in the Journal.

Rep. Beth Halteman

#### REGULAR CALENDAR, CONTINUED

House Bill No. 0196 -- Education, Higher -- Gives certain tuition discounts for state institutions of higher education to children of certified teachers in public schools. Amends TCA, Title 49, Ch. 7, Pt. 1.

Rep. Davis (Cocke) moved that House Bill No. 196 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

##### Amendment No. 1

Amend House Bill No. 196 by deleting section one in its entirety and substituting the following new section:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section to be appropriately designated:

Section \_\_\_\_\_. Every child in Tennessee under the age of twenty-one (21) whose parent is employed as a certified teacher in any public school in Tennessee, shall be eligible for consideration to receive a reduction in the undergraduate maintenance fee at any state operated institution of higher learning on the same basis as the child of a regular employee of any state operated institution of higher learning. Subject to space available in the classroom, a state operated institution shall grant a reduction in the undergraduate maintenance fee, on a first-come-first-served basis, to the eligible child of a certified teacher in any public school in Tennessee and to the eligible child of a regular

employee of any state operated institution of higher learning.

The board of trustees of the University of Tennessee and the State Board of Regents are hereby directed, authorized and empowered to promulgate and adopt such rules and regulations as are necessary to implement the provisions of this subsection. Said rules and regulations are subject to approval by the Department of Education.

The Higher Education Commission and the Commissioner of Finance and Administration are directed to adjust budget recommendations to exclude the effect of the tuition reductions authorized by this act from appropriation recommendations to the general assembly.

On motion, Amendment No. 1 was adopted.

Rep. DeBerry moved to amend as follows:

Amendment No. 2

Amend House Bill No. 196 by deleting from the amendatory language in Section 1 the words and punctuation:

"whose parent is employed as a certified teacher in any public school in Tennessee,"

and by substituting instead the following words and punctuation:

", whose parent is employed as a certified teacher in any public school in Tennessee or whose parent is employed by the state of Tennessee as a certified teacher,"

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Davis (Cocke) moved that House Bill No. 196, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	86
Noes. . . . .	6

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Givens, Good, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Kent, Kernell, King,

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Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 86.

Representatives voting no were: Dixon, Garrett, Jones, U. (Shelby), Robinson (Washington), Severance, Turner, L. (Shelby) -- 6.

A motion to reconsider was tabled.

**\*House Bill No. 0805** -- Computers and Data Processing -- Revises procedures for multi step sealed bidding on public purchases of computer systems. Amends TCA 12-3-203.

On motion, House Bill No. 805 was made to conform with Senate Bill No. 1218.

On motion, **Senate Bill No. 1218**, on same subject, was substituted for House Bill No. 805.

Rep. Copeland moved that Senate Bill No. 1218 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0206** -- Highway Signs -- Designates certain bridge on Interstate 181 as the "Captain Terry Jamison Memorial Bridge".

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Rep. Whitson moved that House Joint Resolution No. 206 be adopted, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**House Bill No. 0889 -- Jails, Local Lock-ups -- Prohibits decertification of local jail if only reason would be overcrowding with state prisoners. Amends TCA, Title 41, Ch. 4.**

Rep. Starnes moved that House Bill No. 889 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

**Amendment No. 1**

House Bill No. 889 is amended by adding between the word "standards" and the word "If" the following:

for the sole purpose of calculating the level of reimbursement upon the certified or not certified determination.

On motion, Amendment No. 1 was adopted.

Rep. Miller moved to amend as follows:

**Amendment No. 2**

House Bill No. 889 is amended by adding the following new section and renumbering the subsequent sections:

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SECTION 2. Tennessee Code Annotated, Section 41-4-140 is amended by adding the following new section:

SECTION \_\_\_\_\_. No local currently certified facility shall be decertified if that local government has submitted a plan within sixty (60) days of the initial annual inspection which is reasonably expected to eliminate fixed ratio deficiencies in that facility and cause said facility to remain certified.

On motion, Amendment No. 2 was adopted.

Rep. Miller moved to amend as follows:

**Amendment No. 3**

House Bill No. 889 is amended by adding the following new section and renumbering the subsequent sections:

SECTION 2. Tennessee Code Annotated, Section 41-4-140 is amended by adding the following new section:

SECTION \_\_\_\_\_. The total number of prisoners awaiting transfer to the department of correction penal system shall be discounted from any computations used to determine compliance with standards used by the Tennessee Corrections Institute if the Governor has invoked the power of delayed intake pursuant to T.C.A. 41-1-504(a)(2) and/or a federal or state court has delayed intake into the department of correction penal system.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Starnes moved that House Bill No. 889, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton),

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Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton -- 94.

A motion to reconsider was tabled.

**House Bill No. 0724** -- Contractors -- Revises Contractors Licensing Act of 1976. Amends TCA, Title 62, Ch. 6.

Further consideration of House Bill No. 724, previously considered on May 18, 1989, at which time it was reset to the Calendar for May 24, 1989.

On motion, House Bill No. 724 was made to conform with Senate Bill No. 753.

On motion, **Senate Bill No. 753**, on same subject, was substituted for House Bill No. 724.

Rep. Bivens moved that Senate Bill No. 753 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 0181** -- Sewage -- Requires commercial boating facilities to provide sewage disposal facilities. Amends TCA, Title 69.

Further consideration of House Bill No. 181, previously considered on May 18, 1989, at which time it was reset to the Calendar for May 24, 1989.



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Rep. Odom moved that House Bill No. 181 be reset to the first Calendar of 1990.

Rep. Rhinehart moved that, pursuant to Rule No. 72, House Bill No. 181 be re-referred to the Finance, Ways and Means Committee, which motion prevailed.

**House Bill No. 0762 -- Motor Vehicles -- Fixes cost of purchasing motor vehicle report from department of safety.**

Further consideration of House Bill No. 762, previously considered on May 22, 1989, at which time the bill failed for lack of a constitutional majority, a motion to reject was made and the bill was reset to May 24, 1989.

Rep. Napier moved to withdraw his motion to reject House Bill No. 762, which motion prevailed.

Pursuant to Rule No. 63, the motion to reject having been withdrawn, and House Bill No. 762, having failed to pass for lack of a constitutional majority, the Speaker re-referred House Bill No. 762 to the Calendar and Rules Committee.

**Senate Bill No. 1309 -- State Employees -- Increases number of applicants certain departments may choose from when filling positions. Amends TCA 8-30-309.**

Further consideration of Senate Bill No. 1309, previously considered on May 11, at which time it was substituted for House Bill No. 1138, Amendment No. 1 was adopted, Amendment No. 2 was tabled and the bill was reset. On May 22, 1989, Amendment No. 3 was adopted and the bill was reset to May 24, 1989.

Rep. Crain moved that Senate Bill No. 1309 be re-referred to the Calendar and Rules Committee, which motion prevailed.

**MESSAGE FROM THE SENATE**

**May 24, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 684; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 0544 -- Sewage -- Revises requirements for issuance of subsurface sewage disposal permits; permits blasting with certain restrictions. CAVEAT: This bill amends TCA 68-13-403 in**

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the body, but not in the caption.

Further consideration of House Bill No. 544, previously considered on May 22, 1989, at which time it was reset to the Calendar for May 24, 1989.

On motion, House Bill No. 544 was made to conform with Senate Bill No. 684.

On motion, **Senate Bill No. 684**, on same subject, was substituted for House Bill No. 544.

Rep. Yelton moved that Senate Bill No. 684 be passed on third and final consideration.

Rep. DePriest moved the previous question, which motion prevailed.

Thereupon, Rep. Yelton moved that Senate Bill No. 684 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	4

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrell, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Bell, Burnett, Crain, Stamps -- 4.

A motion to reconsider was tabled.

**\*Senate Bill No. 0959 -- Local Education Agency -- Requires opening of schools after Labor Day; provides certain exceptions. Amends TCA, Title 49.**

Further consideration of Senate Bill No. 959, previously considered on March 29, 1989, at which time it was substituted for House Bill No. 1197, failed to pass for lack of a constitutional

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majority and was re-referred to Calendar and Rules Committee. On May 18, at which time it was placed on the Calendar for May 22, it was reset to the Calendar for May 24, 1989.

Rep. Davidson moved that Senate Bill No. 959 be passed on third and final consideration.

**MOTION TO SUSPEND RULES**

Rep. Naifeh moved to suspend Rule No. 21 to limit debate on the bill to 20 minutes after the amendments are adopted.

**REGULAR CALENDAR, CONTINUED**

Rep. DePriest moved the previous question on Senate Bill No. 959, which motion failed by the following vote:

Ayes. . . . .	20
Noes. . . . .	67
Present and not voting. . . . .	2

Representatives voting aye were: Bell, Buck, Curlee, DePriest, Ellis, Garrett, Harrill, Hassell, Hillis, Holt, Hubbard, Jackson, Love, Napier, Niceley, Pruitt, Robinson (Davidson), Stamps, Wix, Mr. Speaker Murray -- 20.

Representatives voting no were: Anderson, Armstrong, Bittle, Bivens, Bragg, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Whitson, Williams, Wolfe, Wood, Yelton -- 67.

Representatives present and not voting were: Crain, Kernell -- 2.

**RULES SUSPENDED**

Rep. Naifeh renewed his motion to limit debate on Senate Bill No. 959, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

Rep. Phillips moved to amend as follows:

Amendment No. 14

Amend Senate Bill No. 959 by adding the following as a new paragraph at the end of the amendatory language of Section 1:

Provided, however, the Labor Day opening requirement imposed pursuant to the provisions of this section shall not supersede any school opening date established pursuant to a private act.

Rep. Davidson moved that Amendment No. 14 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	49
Noes. . . . .	41
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Burnett, Callicott, Chiles, Collier, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ellis, Garrett, Good, Halteman, Harrill, Haun, Hawkins, Head, Hobbs, Huskey, Jones, U. (Shelby), Kent, King, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Odom, Percutao, Purcell, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Starnes, Turner, L. (Shelby), Webb, West, Williams, Wix -- 49

Representatives voting no were: Bell, Buck, Byrd, Cain, Clark, Coffey, Copeland, Crain, Curlee, DePrest, Dixon, Gaia, Givens, Gunnels, Hassell, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Jackson, Kisber, Moore (Shelby), Naifeh, Niceley, Phillips, Pinion, Pruitt, Rhinehart, Robinson (Davidson), Shirley, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Wolfe, Wood, Yelton, Mr. Speaker Murray -- 41.

Representatives present and not voting were: Kernell -- 1.

Rep. Cain moved to amend as follows:

Amendment No. 15

Amend Senate Bill No. 959 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ The provisions of this act shall not apply in any county having a population in excess of 400,000 according to the 1980 federal census or any subsequent federal census.

Rep. Davidson moved that Amendment No. 15 be tabled, which motion prevailed by the following vote:

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Ayes. . . . . 56  
Noes. . . . . 37

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Burnett, Callicott, Chiles, Collier, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ellis, Garrett, Good, Halteman, Harrill, Haun, Hawkins, Head, Hobbs, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Napier, Niceley, Odom, Peroulas, Purcell, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Starnes, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Whitson, Williams, Wix -- 56.

Representatives voting no were: Bell, Byrd, Cain, Clark, Coffey, Copeland, Crain, Curlee, DePriest, Dixon, Gaia, Givens, Gunnels, Hassell, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Kisber, Love, Moore (Shelby), Naifeh, Phillips, Pinion, Pruitt, Rhinehart, Shirley, Stallings, Stamps, Turner, C. (Shelby), Wolfe, Wood, Yelton, Mr. Speaker Murray -- 37.

Rep. Cain moved to amend as follows:

Amendment No. 16

Amend Senate Bill No. 959 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than 770,000 nor more than 780,000 according to the 1980 federal census or any subsequent federal census.

Rep. Davidson moved that Amendment No. 16 be tabled, which motion prevailed by the following vote:

Ayes. . . . . 54  
Noes. . . . . 35

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ellis, Garrett, Good, Halteman, Harrill, Haun, Hawkins, Head, Hillis, Hobbs, Huskey, Jones, U. (Shelby), Kent, Kernell, King, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Niceley, Odom, Peroulas, Purcell, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Starnes, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Williams, Wix -- 54.

Representatives voting no were: Bell, Byrd, Cain, Clark, Coffey, Copeland, Curlee, DePriest, Dixon, Gaia, Givens, Gunnels, Hassell, Henry (Putnam), Henry (Roane), Herron, Holcomb, Holt, Hubbard, Kisber, Love, Moore (Shelby), Naifeh, Phillips, Pinion,

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Pruitt, Rhinehart, Shirley, Stallings, Stamps, Turner, C. (Shelby), Whitson, Wolfe, Wood, Yelton -- 35.

Rep. Moore (Lawrence) moved to amend as follows:

Amendment No. 17

AMEND Senate Bill No. 959 by deleting from the amendatory language of Section 1 the words and punctuation "to commence the day immediately following the day observed as Labor Day;" and by substituting instead the following:

to commence the day immediately following the day observed as Labor Day and to end on or before Friday of the first full calendar week in June;

AND FURTHER AMEND by inserting the following language between the third and fourth sentences of the first full paragraph of the amendatory language of Section 1:

Local education agencies may schedule school on planned holidays or Saturdays for days missed due to inclement weather or other emergencies.

AND FURTHER AMEND by deleting from the amendatory language of Section 1 the words, figures, and symbols "an average of ten (10) or more days" and by substituting the following:

"an average of seven (7) or more days"

On motion, Amendment No. 17 was adopted.

Rep. Severance moved the previous question, which motion failed by the following vote:

Ayes . . . . .	40
Noes . . . . .	47
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Bivens, Buck, Clark, Collier, Cross, Curlee, Davis (Cocke), DePriest, Ellis, Gaia, Garrett, Good, Haltoman, Harrill, Head, Henry (Putnam), Herron, Hillis, Hobbs, Hickey, Jackson, Miller, Moody, Niceley, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stamps, Webb, West, Whitson, Wix -- 40.

Representatives voting no were: Armstrong, Bell, Bittie, Bragg, Burnett, Byrd, Cain, Callicott, Coffey, Crain, Davidson, Davis (Gibson), Davis (Knox), Dixon, Duer, Givens, Gunnels, Hassell, Haun, Hawkins, Henry (Roane), Holcomb, Holt, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, McAfee, McDaniel, Moore (Lawrence), Naifeh, Phillips, Pinion, Rhinehart, Shirley,

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Stallings, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Wheeler, Williams, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 47.

Representatives present and not voting were: Kernell -- 1.

PRESENT IN CHAMBER

Representative Winningham was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

Thereupon, Rep. Davidson moved that Senate Bill No. 959, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	51
Noes. . . . .	47

Representatives voting aye were: Armstrong, Bittle, Bivens, Bragg, Burnett, Callicott, Chiles, Cross, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, Ellis, Garrett, Good, Halteman, Harrill, Haun, Hawkins, Head, Hobbs, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Niceley, Odum, Peroulas, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Starnes, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Whitson, Williams -- 51.

Representatives voting no were: Anderson, Bell, Buck, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Curlee, DePriest, Dixon, Duer, Gaia, Givens, Gunnels, Hassell, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Jackson, Kisber, Love, Moore (Shelby), Naifeh, Napier, Phillips, Pinion, Pruitt, Rhinehart, Shirley, Stallings, Stamps, Turner, C. (Shelby), Ussery, Webb, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 47.

A motion to reconsider was tabled.

\*House Bill No. 1441 -- General Assembly -- Provides for election of officers of committees of the general assembly. Amends TCA, Title 3.

Further consideration of House Bill No. 1441, previously considered on May 22, 1989, at which time it was reset to the Calendar for May 24, 1989.

Rep. Bragg moved that House Bill No. 1441 be re-referred to the Calendar and Rules Committee, which motion prevailed.

**WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY**

**House Bill No. 0593** -- Public Funds and Financing -- Increases amount each county contributes to expenses and compensation of comptroller's auditors. Amends TCA 9-3-210.

Further consideration of House Bill No. 593, previously considered on May 22, 1989, at which time it was reset to the Calendar for May 24, 1989.

On motion, House Bill No. 593 was made to conform with Senate Bill No. 1124.

On motion, **Senate Bill No. 1124**, on same subject, was substituted for House Bill No. 593.

Rep. Bragg moved that Senate Bill No. 1124 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	62
Noes. . . . .	23
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Bragg, Buck, Byrd, Cain, Callicott, Chiles, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Garrett, Givens, Halteman, Harrill, Hassell, Head, Hillis, Hobbs, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, Miller, Naifeh, Napier, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Scruggs, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Williams, Winningham, Wix, Wood, Mr. Speaker Murray -- 62.

Representatives voting no were: Bittle, Coffey, Duer, Haun, Hawkins, Henry (Putnam), Henry (Roane), Holcomb, Holt, Hubbard, McDaniel, Moody, Moore (Shelby), Niceley, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Ussery, Whitson, Wolfe, Yelton -- 23.

Representatives present and not voting were: Wheeler -- 1.

A motion to reconsider was tabled.

**House Bill No. 1541** -- Hamilton County -- Revises compensation of juvenile court judge. Amends Chapter 489, Private Acts of 1945, as amended.

On motion, House Bill No. 1541 was made to conform with Senate Bill No. 1536.

On motion, **Senate Bill No. 1536**, on same subject, was substituted for House Bill No. 1541.



**WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY**

Rep. Starnes moved that Senate Bill No. 1536 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	88
Noes. . . . .	2
Present and not voting. . . . .	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 88.

Representatives voting no were: Copeland, Wolfe -- 2.

Representatives present and not voting were: Duer, Holcomb -- 2.

A motion to reconsider was tabled.

**House Bill No. 0594 -- Taxes, Assessment --** Revises provisions on property reappraisals. Amends TCA, Title 67.

On motion, House Bill No. 594 was made to conform with Senate Bill No. 1126.

On motion, **Senate Bill No. 1126**, on same subject, was substituted for House Bill No. 594.

Rep. Bragg moved that Senate Bill No. 1126 be passed on third and final consideration.

Rep. Bell moved the previous question, which motion prevailed by the following vote:

Ayes. . . . .	71
Noes. . . . .	18

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Dixon, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Hawkins, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holt,

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Huskey, Jones, U. (Shelby), King, Kisber, Love, McAfee, Miller, Moody, Moore (Lawrence), Moore (Shelby), Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 71.

Representatives voting no were: Buck, Cain, Crain, Cross, Davis (Knox), DeBerry, Duer, Harrill, Henry (Roane), Holcomb, Hubbard, Jackson, Jones, R. (Shelby), Kent, McDaniel, Sipes, Stamps, Whitson -- 18.

Thereupon, Rep. Bragg moved that Senate Bill No. 1126 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	63
Noes. . . . .	24
Present and not voting. . . . .	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Copeland, Crain, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Hassell, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Love, McAfee, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Stallings, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Williams, Wix, Wood -- 63.

Representatives voting no were: Collier, Cross, Davis (Cocke), Davis (Knox), Halteman, Harrill, Haun, Hawkins, Holcomb, Hubbard, McDaniel, Moody, Niceley, Odom, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Wheeler, Whitson, Winningham, Wolfe, Mr. Speaker Murray -- 24.

Representatives present and not voting were: Clark, Jackson -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 196 and have this statement entered in the Journal.

Rep. Karen Williams

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REGULAR CALENDAR, CONTINUED

**\*House Bill No. 0377** -- Claims Commission, Tennessee -- Adds cost of defense counsel commissioner to expenses to be paid from claims award fund.

On motion, House Bill No. 377 was made to conform with Senate Bill No. 854.

On motion, **Senate Bill No. 854**, on same subject, was substituted for House Bill No. 377.

Rep. Buck moved that Senate Bill No. 854 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

**House Bill No. 0257** -- Boards and Commissions -- Phases out medical laboratory advisory committee; creates medical laboratory board"; transfers certain regulatory powers from department to board. Amends TCA, Title 68, Ch. 29.

On motion, House Bill No. 257 was made to conform with Senate Bill No. 107.

On motion, **Senate Bill No. 107**, on same subject, was substituted for House Bill No. 257.

Rep. Odom moved that Senate Bill No. 107 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	88
Noes. . . . .	6

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 88.

Representatives voting no were: Cain, Crain, Davis (Gibson), Hobbs, Moore (Lawrence), Webb -- 6.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 107 and have this statement entered in the Journal.

Rep. Maria Peroulas

#### REGULAR CALENDAR, CONTINUED

House Bill No. 1321 -- Sunset Laws -- Accelerates termination of health facilities commission. Amends TCA, Title 4, Ch. 29, Pt. 2.

Further consideration of House Bill No. 1321, previously considered on April 10, April 12, April 20 and May 8, 1989. On May 8, 1989, the bill was re-referred to Calendar and Rules Committee. On May 23 it was placed on the Calendar for May 24, 1989.

On motion, House Bill No. 1321 was made to conform with Senate Bill No. 580.

On motion, Senate Bill No. 580, on same subject, was substituted for House Bill No. 1321.

Rep. Garrett moved that Senate Bill No. 580 be passed on third and final consideration.

Rep. Bragg moved the previous question, which motion prevailed.

Thereupon, Rep. Garrett moved that Senate Bill No. 580 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes	67
Noes	26
Present and not voting	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Cross, Curlee, Davis (Cocke), DeBerry, DePriest, Duer, Ellis, Garrett, Givens, Good, Halteman, Harrill, Hassell, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Holt, Hubbard, Huskey, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Miller, Moody, Moore (Shelby), Niceley, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Stallings, Stamps, Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 67.

Representatives voting no were: Burnett, Cain, Crain, Davidson, Davis (Gibson), Dixon, Gunnels, Hobbs, Holcomb, Jackson, Jones, R. (Shelby), McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Odom, Pinion, Purcell, Rhinehart, Sipes, Starnes, Turner (Hamilton), Turner, C. (Shelby), Williams, Winningham -- 26.

Representatives present and not voting were: Severance -- 1.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 580 and have this statement entered in the Journal.

Rep. Joe Kent

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 735 and have this statement entered in the Journal.

Rep. Philip Pinion

**REGULAR CALENDAR, CONTINUED**

House Bill No. 0621 -- Divorce and Annulment -- Grants divorce to both parties under certain circumstances. Amends TCA, Title 36, Ch. 4, Pt. 1.

On motion, House Bill No. 621 was made to conform with Senate Bill No. 440.

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On motion, Senate Bill No. 440, on same subject, was substituted for House Bill No. 621.

Rep. Purcell moved that Senate Bill No. 440 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 440 by deleting Section \_\_\_\_ of the amendatory language of SECTION 1 and substituting the following:

In all actions for divorce from the bonds of matrimony or from bed and board, the parties may stipulate as to grounds and/or defenses. The court may, upon such stipulations or upon proof, grant a divorce to the party who was less at fault or, if either or both parties are entitled to a divorce, declare the parties to be divorced, rather than awarding a divorce to either party alone.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Purcell moved that Senate Bill No. 440, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	81
Noes. . . . .	7
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Klaber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Mr. Speaker Murray -- 81.

Representatives voting no were: Byrd, Callicott, Halteman, Harrill, Niceley, Stamps, Wood -- 7.

Representatives present and not voting were: Yelton -- 1.

A motion to reconsider was tabled.

WEDNESDAY, MAY 24, 1969 -- FIFTIETH LEGISLATIVE DAY

**House Bill No. 0735 -- Real Property -- Establishes method of determining effective date of conveyances of real property.**

On motion, **House Bill No. 735** was made to conform with **Senate Bill No. 622**.

On motion, **Senate Bill No. 622**, on same subject, was substituted for **House Bill No. 735**.

Rep. Purcell moved that **Senate Bill No. 622** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**House Bill No. 1016 -- Correctional Programs -- Permits persons volunteering to work in department programs to use state vehicles if assignments require. Amends TCA 41-10-104.**

On motion, **House Bill No. 1016** was made to conform with **Senate Bill No. 1198**.

On motion, **Senate Bill No. 1198**, on same subject, was substituted for **House Bill No. 1016**.

Rep. Purcell moved that **Senate Bill No. 1198** be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1198 by adding the following language at the end of the amendatory language of Section 1:

subject to the approval of the department and compliance with any rules or regulations which may be promulgated by the department

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Purcell moved that Senate Bill No. 1198, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	81
Noes. . . . .	14

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Clark, Coffey, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Givens, Good, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Phillips, Rielon, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sipes, Stallings, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Usaery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 81.

Representatives voting no were: Bittle, Callicott, Chiles, Crain, Duer, Gunnels, McAfee, Miller, Niceley, Peroulas, Scruggs, Severance, Stamps, Whitson -- 14.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 440 and have this statement entered in the Journal.

Rep. Joe Kent

REGULAR CALENDAR, CONTINUED

\*House Bill No. 0042 -- Sunset Laws -- Extends termination date of department of tourist development. Amends TCA, Title 4, Chs. 3,



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4, 29; Title 8, Ch. 23; Title 11, Ch. 19; Title 49, Ch. 50; Title 54, Ch. 17.

On motion, House Bill No. 42 was made to conform with Senate Bill No. 138.

On motion, Senate Bill No. 138, on same subject, was substituted for House Bill No. 42.

Rep. King moved that Senate Bill No. 138 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odum, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 95.

A motion to reconsider was tabled.

**House Bill No. 0226 -- Sunset Laws --** Extends termination date of Elk River development agency. Amends TCA, Title 4, Ch. 29; Title 9, Ch. 9; Title 13, Chs. 1, 14; Title 64, Ch. 1.

On motion, House Bill No. 226 was made to conform with Senate Bill No. 166.

On motion, Senate Bill No. 166, on same subject, was substituted for House Bill No. 226.

Rep. King moved that Senate Bill No. 166 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson,

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Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

\*House Bill No. 0031 -- Sunset Laws -- Extends termination date of department of mental health and mental retardation. Amends TCA, Title 4, Chs. 3, 29; Title 8, Ch. 4; Title 33; Title 34, Ch. 4; Title 36, Ch. 3; Title 37, Ch. 1; Title 40, Ch. 35; Title 41, Ch. 21; Title 49, Chs. 5, 11; Title 53, Ch. 11; Title 55, Ch. 7; Title 56, Ch. 7; Title 57, Chs. 3, 5; Title 63, Ch. 13; Title 68, Chs. 5, 11; Title 71, Ch. 6.

On motion, House Bill No. 31 was made to conform with Senate Bill No. 130.

On motion, Senate Bill No. 130, on same subject, was substituted for House Bill No. 31.

Rep. King moved that Senate Bill No. 130 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson,

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Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray  
-- 95.

A motion to reconsider was tabled.

**House Bill No. 0207 -- Sunset Laws --** Extends termination date of bureau of investigation. Amends TCA, Title 4, Chs. 29, 36; Title 8, Chs. 23, 50; Title 10, Ch. 7; Title 17, Ch. 5; Title 27, Ch. 8; Title 37, Chs. 1, 10; Title 38, Chs. 6--8, 10; Title 39, Chs. 3, 5, 6; Title 40, Ch. 33; Title 45, Ch. 2; Title 53, Ch. 11; Title 55, Ch. 10; Title 57, Ch. 1; Title 62, Chs. 27, 35; Title 68, Ch. 17; Title 71, Chs. 3, 5.

On motion, House Bill No. 207 was made to conform with Senate Bill No. 181.

On motion, ~~Senate Bill No. 181~~, on same subject, was substituted for House Bill No. 207.

Rep. King moved that Senate Bill No. 181 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knex), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

**House Bill No. 0219 -- Sunset Laws --** Extends termination date of state university and community college system, board of regents. Amends TCA, Title 4, Ch. 29; Title 8, Chs. 36, 50; Title 49, Chs. 3, 4, 7, 8; Title 68, Ch. 31.

On motion, House Bill No. 219 was made to conform with Senate Bill No. 157.

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On motion, **Senate Bill No. 157**, on same subject, was substituted for House Bill No. 219.

Rep. King moved that Senate Bill No. 157 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 1505** -- County Government -- Increases number of commissioners in Crockett County. Amends TCA 7-82-307.

On motion, House Bill No. 1505 was made to conform with Senate Bill No. 1524.

On motion, **Senate Bill No. 1524**, on same subject, was substituted for House Bill No. 1505.

Rep. Holt moved that Senate Bill No. 1524 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 1524 to amend Section 1 by adding the words "water utility" between "any" and "district" in the second line of Subsection ( ).

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Holt moved that Senate Bill No. 1524, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

House Bill No. 1494 -- Historical Sites -- Creates advisory council on Cordell Hull birthplace.

On motion, House Bill No. 1494 was made to conform with Senate Bill No. 1512.

On motion, Senate Bill No. 1512, on same subject, was substituted for House Bill No. 1494.

Rep. Winningham moved that Senate Bill No. 1512 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby),

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Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 95.

A motion to reconsider was tabled.

**House Bill No. 0741 -- Solid Waste Disposal** -- Provides that solid waste processing facilities, disposal facilities and sites must be approved by local governments under certain circumstances. Amends TCA, Title 68, Chs. 31, 33.

Rep. Jackson moved that House Bill No. 741 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 741 by deleting the language following the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 68-31-105, is amended by deleting subsections (e), (f) and (g) in their entirety and by redesignating the subsequent subsections accordingly.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 31, is amended by adding Sections 3 through 7 of this act as appropriately numbered sections.

SECTION 3. No new construction shall be initiated in any solid waste processing facility or disposal facility or site until the plans for such new construction have been submitted to and approved by:

(1) the county legislative body in which the proposed facility or site is located, if such new construction is located in an unincorporated area,

(2) the governing body of the municipality in which the proposed facility or site is located, if such new construction is located in an incorporated area, or

(3) both the county legislative body of the county in which such proposed facility or site is located and the governing body of any municipality which is located within one (1) mile of such proposed facility or site.

SECTION 4.

(a) In order to inform interested persons in the area of a proposed facility or site, public notice shall be circulated by the county legislative body, the municipal governing body, or both such entities within the geographical area of the proposed facility or site approval by any of the following means:

(1) Posting in the post office and public places of the municipality nearest the site under consideration; or

(2) Publishing in local newspapers and periodicals, or, if appropriate, in a daily newspaper of general circulation.

(b) Public notice of a proposed facility or site approval shall include the following:

(1) Name, address, and telephone number of the local city/county official/department/agency reviewing the application;

(2) Name and address of the proposed facility or site owner and/or operator;

(3) Location and size of the proposed facility or site;

(4) Brief description of the type operation to be operated at the facility or site, the location of the facility or site and the type waste that will be accepted;

(5) A description of the time frame and procedures for making a final determination on the facility or site application approval or disapproval; and

(6) Address and telephone number of the premises at which persons may obtain further information, request copies of data on the facility or site, and inspect this data.

(c) A copy of the public notice and fact sheet shall be sent to any person who specifically requests one. A copy of each notice of application and fact sheet shall also be sent to those persons who have requested the addition of their names to a mailing list.

(d) Interested persons may submit written comments on the proposed facility or site within thirty (30) days of the public notice or such greater period as is allowed. All written comments submitted

shall be retained and made available to the department of health and environment in its final determination of registration of the proposed site.

(e) Interested persons may request in writing that the county legislative body, municipal governing body or both such entities hold a public hearing on any proposed new construction of in a solid waste processing facility or disposal facility or site prior to approval or such new construction. The request must be filed within the period allowed for public comment and must indicate the interest of the party filing it and the reason why a hearing is warranted. If there is a significant public interest in having a hearing, one (1) hearing shall be held in the geographical area of the proposed facility or site. Instances of doubt should be resolved in favor of holding a hearing. The comments made at the hearing shall be transcribed or recorded to assist in the final determination of approval of the proposed new facility or site.

(f) No less than fifteen (15) days in advance of the hearing, public notice of it shall be circulated at least as widely as was the notice of the proposed facility or site approval. Procedure for circulation of public notice for the hearing shall include the following:

(1) Publication in a newspaper of general circulation within the geographical area of the facility or site; and

(2) Sending notice to all persons who received a copy of the notice or fact sheet for the proposed facility or site approval and any person who specifically requests a copy of the notice of the hearing.

(g) Each notice of a public hearing shall include at least the following contents:

(1) Name, address, and telephone number of the city/county official/department/agency who/which was responsible for the review of the application;

(2) Name and address of each proposed facility or site owner or operator who will be heard at the hearing;

(3) A description of the proposed facility or site and the type of disposal methods to be used;



(4) A brief reference to the public notice issued for each proposed facility or site;

(5) Information regarding the time and location for the hearing;

(6) The purpose of the hearing;

(7) A concise statement of the issues raised by the persons requesting the hearing;

(8) Address and telephone number of the premises at which interested persons may obtain further information, request a copy of each draft permit, request a copy of each fact sheet, and inspect and copy forms and related documents; and

(9) A brief description of the nature of the hearing, including the rules and procedures to be followed.

SECTION 5. Within thirty (30) days after notice and an opportunity for a public hearing as provided in Section 4, the county legislative body, the municipal governing body or both such entities shall approve or disapprove the proposed new construction of a solid waste processing facility or disposal facility or site. The following criteria shall be considered in evaluating such construction:

(1) The type of waste to be disposed of at the facility or site;

(2) The method of disposal to be used at the facility or site;

(3) The projected impact on surrounding areas from noise and odor created by the proposed facility or site;

(4) The projected impact on property values on surrounding areas created by the proposed facility or site;

(5) The adequacy of existing roads and bridges to carry the increased traffic projected to result from the proposed facility or site;

(6) The economic impact on the county, city or both;

(7) The compatibility with existing development or zoning plans; and

(8) Any other factor which may affect the public health, safety or welfare.

SECTION 6.

(a) The provisions of this act shall not be construed to preempt any zoning ordinance or plan adopted, in accordance with the provisions of Tennessee Code Annotated, Title 13, Chapter 7, on or after December 1, 1988, but shall be in addition to any such ordinance or plan to the extent that the provisions of this act do not conflict with any such ordinance or plan.

(b) The provisions of this act shall not apply to any county which has implemented any zoning ordinance or plan before October 1, 1988.

SECTION 7.

(a) The provisions of Sections 3 through 6 of this act shall only apply in any county or municipality in which it is approved by a two-thirds (2/3) vote of the appropriate legislative body except for those counties or municipalities to which the provisions of this act do not apply pursuant to Section 6(b) of this act. The provisions of Sections 3 through 6 of this act are for local review and approval and shall be conducted prior to a review and consideration for approval by the department of health and environment or the commissioner.

(b) Any county or municipality which has approved this act by a two-thirds (2/3) vote of the appropriate legislative body pursuant to subsection (a) shall have the authority to later reject the provisions of this act by a two-thirds (2/3) vote of the appropriate legislative body. If the appropriate legislative body votes by two thirds (2/3) to reject the provisions of this act after having previously voted to approve this act, then the provisions of this act shall no longer apply to such county or municipality.

SECTION 8. Tennessee Code Annotated, Section 68-31-105, is amended by adding the following appropriately designated subsection:

( ) The commissioner shall not review or approve any new construction of any solid waste processing facility or disposal facility or site in any county or municipality which has adopted the provisions of Sections 3 through 7 of this act until such construction has been approved in accordance with the provisions of such sections.

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SECTION 9. This act shall remain effective until the approval and effective implementation of the plan as set forth in Senate Bill 1322 / House Bill 1305 of the ninety-sixth general assembly, being the "Tennessee Solid Waste Planning and Recovery Act", if enacted.

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it and shall be only applicable to any application for permit/registration for which a tentative approval/determination has not been public noticed by the commissioner.

Rep. Miller moved to amend as follows:

**Amendment No. 1 to Amendment No. 1**

AMEND House Bill No. 741 by deleting from Section 3 the words "in any solid waste processing facility or disposal facility or site", and by substituting instead the words "for solid waste disposal by landfilling or solid waste processing by landfilling".

AND FURTHER AMEND by deleting the words "facility or site" and the word "site" wherever they appear and by substituting instead the word "landfill".

AND FURTHER AMEND by adding the following language at the end of Section 3:

For purposes of this act, "landfill" or "landfilling" means any land used for disposal of solid waste by filling and covering.

AND FURTHER AMEND by deleting from Section 4(e) the words "of in a solid waste processing facility or disposal facility or site" and by substituting instead the words "for solid waste disposal by landfilling or solid waste processing by landfilling".

AND FURTHER AMEND by deleting from Section 5 the words "of a solid waste processing facility or disposal facility or site", and by substituting instead the words "for solid waste disposal by landfilling or solid waste processing by landfilling".

AND FURTHER AMEND by deleting from Section 8 the words "of any solid waste processing facility or disposal facility or site", and by substituting instead the words "for solid waste disposal by landfilling or solid waste processing by landfilling".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

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Rep. Miller moved that Amendment No. 1, as amended, be adopted, which motion prevailed.

Rep. Miller moved to amend as follows:

**Amendment No. 2**

Amend House Bill No. 741 by adding the following language as a new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply to any private landfill which accepts solid waste solely generated by its owner and does not accept county or municipal solid waste or ordinary household garbage.

On motion, Amendment No. 2 was adopted.

Rep. Miller moved to amend as follows:

**Amendment No. 3**

AMEND House Bill No. 741 by deleting in their entirety the first four lines of Section 3, and by substituting instead the following new language:

No construction shall be initiated for any new landfill for solid waste disposal or for solid waste processing until the plans for such new landfill have been submitted to and approved by:

AND FURTHER AMEND Section 8, by deleting the amendatory language in its entirety, and by substituting instead the following amendatory language:

( ) The commissioner shall not review or approve any construction for any new landfill for solid waste disposal or for solid waste processing in any county or municipality which has adopted the provisions of Sections 3 through 7 of this act until such construction has been approved in accordance with the provisions of such sections.

On motion, Amendment No. 3 was adopted.

Rep. Rhinehart moved to amend as follows:

**Amendment No. 4**

Amend House Bill No. 741 by deleting from Section 9 the words and punctuation ", if enacted." and by substituting

instead the following:

if enacted, on June 30, 1991, whichever shall first occur.

On motion, Amendment No. 4 was adopted.

Rep. Jackson moved to amend as follows:

**Amendment No. 5**

Amend House Bill No. 741 by deleting from Section 6 as amended the word "December", and by substituting instead the word "October".

On motion, Amendment No. 5 was adopted.

Rep. Jackson moved to amend as follows:

**Amendment No. 6**

Amend House Bill No. 741 by adding the following new paragraph at the end of Section 5:

Judicial review of the legislative body's determination shall be a de novo review before the Chancery Court for the county in which the landfill is proposed to be located.

On motion, Amendment No. 6 was adopted.

Rep. West moved to amend as follows:

**Amendment No. 7**

Amend House Bill No. 741 by adding the following language as a new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

Section \_\_\_\_ The provisions of this act shall not apply to any municipal or county owned and/or operated landfill.

Rep. Jackson moved that Amendment No. 7 be tabled, which motion prevailed.

Rep. Jackson moved to amend as follows:

Amendment No. 8

Amend House Bill No. 741 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 8 was adopted.

Rep. Armstrong moved to amend as follows:

Amendment No. 9

Amend House Bill No. 741 by deleting the words "one (1) mile" and by substituting instead the words "five miles".

Rep. Jackson moved that Amendment No. 9 be tabled, which motion prevailed.

Thereupon, Rep. Jackson moved that House Bill No. 741, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	86
Noes. . . . .	7
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 86.

Representatives voting no were: Armstrong, Chiles, Gaia, Haun, Scruggs, Severance, West -- 7.

Representatives present and not voting were: Hubbard -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 0113 -- Zoning --** Changes certain requirements for rezoning certain property. Amends TCA, Title 13, Chs. 3, 4, 7.

Rep. Miller moved that House Bill No. 113 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

**Amendment No. 1**

AMEND House Bill No. 113 by renumbering Section 2 as Section 3.

AND FURTHER AMEND by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-7-105, as amended by Chapter 34 of the Public Acts of 1989, is amended by adding the following new subsection:

(c)(1) Except as provided for in subdivision (2), in addition to any other notification requirements as provided in this chapter, notification shall be mailed on the date the notice of the time and place of a public hearing on such amendment is published pursuant to the provisions of this chapter, to all property owners of record whose property would be reclassified or rezoned by an amendment to the zoning map, whether or not they were a party to the application for rezoning.

(2) In cases of a comprehensive zoning ordinance, of a general amendment to the zoning map initiated by a governmental body, or of an amendment to the text of the zoning ordinance, the publication in a newspaper of general circulation as provided in this chapter may be substituted for notification by mail.

SECTION 2. Tennessee Code Annotated, Section 13-7-203 is amended by adding the following new subsection:

(d)(1) Except as provided for in subdivision (2), in addition to any other notification requirements as provided in this chapter, notification shall be mailed on the date the notice of the time and place of a public hearing on such amendment is published pursuant to the provisions of this chapter, to all property owners of record whose property would be reclassified or rezoned by an amendment to the zoning map, whether

or not they were a party to the application for rezoning.

(2) In cases of a comprehensive zoning ordinance, of a general amendment to the zoning map initiated by a governmental body, or of an amendment to the text of the zoning ordinance, the publication in a newspaper of general circulation as provided in this chapter may be substituted for notification by mail.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Miller moved that House Bill No. 113, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to no on House Bill No. 741 and have this statement entered in the Journal.

Rep. Joyce Hassell

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 741 and have this statement entered in the Journal.

Rep. Tom Wheeler



MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1013, 1341, 1369 and 1370; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**Senate Bill No. 1013** -- Economic and Community Development -- Changes certain procedures within Enterprise Zone Act; increases certain incentives contained therein. Amends TCA, Title 13.

**Senate Bill No. 1341** -- Drugs -- Imposes mandatory minimum fines upon persons convicted of certain drug offenses. Amends TCA, Title 39, Ch. 6, Pt. 4.

**Senate Bill No. 1369** -- Election Laws -- Revises certain election laws. Amends TCA, Title 2.

**Senate Bill No. 1370** -- Water Resources -- Revises budgetary process for water and wastewater treatment authorities. Amends TCA, Title 68, Ch. 13, Pt. 6.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 0198** -- Hazardous Materials -- Authorizes forms and reporting dates under Hazardous Chemical Right to Know Law which correspond to federal law requirements. Amends TCA, Title 50, Ch. 3, Pt. 20.

On motion, House Bill No. 198 was made to conform with Senate Bill No. 840.

On motion, **Senate Bill No. 840**, on same subject, was substituted for House Bill No. 198.

Rep. Kernell moved that Senate Bill No. 840 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore

(Lawrence), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 1189 -- Drugs -- Imposes mandatory minimum fines upon persons convicted of certain drug offenses. Amends TCA, Title 39, Ch. 6, Pt. 4.**

On motion, House Bill No. 1189 was made to conform with Senate Bill No. 1341.

On motion, **Senate Bill No. 1341**, on same subject, was substituted for House Bill No. 1189.

Rep. C. Turner (Shelby) moved that Senate Bill No. 1341 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Williams moved that House Joint Resolution No. 334 be recalled from the Calendar and Rules Committee for immediate consideration, which motion prevailed.

\*House Joint Resolution No. 0334 -- General Assembly, Studies -- Creates special joint committee to study certification of shorthand reporters.

Rep. Williams moved that House Joint Resolution No. 334 be adopted.

Rep. Naifeh moved to amend as follows:

**Amendment No. 1**

AMEND House Joint Resolution No. 334 by deleting the first resolving clause and by substituting instead the following:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That the chair of the Senate Judiciary Committee and the chair of the House Judiciary Committee are hereby directed to create a joint subcommittee of the respective committees to conduct a comprehensive study of the certification of shorthand reporters and more specifically, the provisions of Senate Bill 504 / House Bill 1190 of the Ninety-Sixth General Assembly.

AND FURTHER AMEND by deleting from the second resolving clause the word "committee", wherever it appears, and by substituting instead the words "joint subcommittee".

AND FURTHER AMEND by deleting from the third resolving clause the words "special committee" and by substituting instead the words "joint subcommittee"; and by deleting the punctuation and words ", at which time the committee shall cease to exist".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Williams moved that House Joint Resolution No. 334, as amended, be adopted, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel,

Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives present and not voting were: Callicott -- 1.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Williams moved that House Joint Resolution No. 316 be recalled from the Thursday, May 25, Consent Calendar, for immediate consideration, which motion prevailed.

\*House Joint Resolution No. 0316 -- General Assembly, Studies -- Creates special joint committee to study asbestos and handling, installation, abatement and removal thereof.

Rep. Williams moved that House Joint Resolution No. 316 be adopted, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

### MOTION

Rep. Bragg moved to suspend the rules to place the following study resolutions properly lying before the House on the

Supplemental Consent Calendar, which motion prevailed: House Resolution(s) No(s). 15 and 47; House Joint Resolution(s) No(s). 38, 109, 173, 234, 240, 284, 350 and 378; and Senate Joint Resolution(s) No(s). 75, 101, 120, 121, 122, 173, 175 and 198.

He further moved that the vote on the Consent Calendar be on final passage, with amendments where applicable, which motion prevailed.

**RULES SUSPENDED**

Rep. Davidson moved that Senate Joint Resolution No. 277 be recalled from the Education Committee for immediate consideration, which motion prevailed.

**Senate Joint Resolution No. 0277 -- General Assemblies, Studies --** Creates joint committee to study pass-through funds in education.

Rep. Davidson moved that Senate Joint Resolution No. 277 be placed on the Supplemental Consent Calendar, which motion he later withdrew. Rep. Davidson then moved that Senate Joint Resolution No. 277 be referred to the Calendar and Rules subcommittee on study resolutions, which motion prevailed.

**RULES SUSPENDED**

Rep. Odom moved that House Joint Resolution No. 409 be recalled from the Calendar and Rules Committee for immediate consideration, which motion prevailed.

**House Joint Resolution No. 0409 -- Naming and Designating --** Designates sports complex at Coley Davis Road and Highway 70 South "Jimmy Evans Soccer Complex".

Rep. Odom moved that House Joint Resolution No. 409 be adopted, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),

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Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 90.

A motion to reconsider was tabled.

### **REQUEST TO CHANGE VOTE**

**MR. SPEAKER:** Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Joint Resolution No. 409 and have this statement entered in the Journal.

Rep. Coffey

### **RULES SUSPENDED**

Rep. Ellis moved that Senate Joint Resolution No. 224 be recalled from the Labor and Consumer Affairs Committee for immediate consideration, which motion prevailed.

**\*Senate Joint Resolution No. 0224 -- General Assembly, Studies -- Creates special committee to study fair employment practices laws.**

Rep. Ellis moved that Senate Joint Resolution No. 224 be placed on the Supplemental Consent Calendar, which motion prevailed.

### **SPEAKER RESUMES CHAIR**

Mr. Speaker Murray resumed the Chair.

### **MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolutions Nos. 346, 347, 349, 350, 351, 352, 353, 354, 355, 356, 357, 359, 361, 362, 363, 364 and 365; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**Senate Joint Resolution No. 0346 -- Memorials, Congratulations -- Honors Collierville Middle School on being selected as one of "Ten Great Schools".**

**Senate Joint Resolution No. 0347 -- Memorials, Professional Achievement -- Honors J. D. Elliott, recipient of the Messenger Newspaper Person of the Year award.**

**Senate Joint Resolution No. 0349** -- Memorials, Sports -- Honors Coach Russ Plummer and Hendersonville High School soccer team, TSSAA state champions.

**Senate Joint Resolution No. 0350** -- General Assembly, Studies -- Authorizes special committee to review and examine classification and compensation plans for certain state employees.

**Senate Joint Resolution No. 0351** -- Memorials, Interns and Pages -- Honors Ramona G. Wilbanks, 1989 legislative intern.

**Senate Joint Resolution No. 0352** -- Memorials, Public Service -- Honors Judge Mose J. Davie for service as Special Judge in General Sessions Court of Davidson County.

**Senate Joint Resolution No. 0353** -- Memorials, Interns and Pages -- Honors Beth Anne Harrill, 1989 legislative intern.

**Senate Joint Resolution No. 0354** -- Memorials, Interns and Pages -- Honors Catherine Emma Crawley, 1989 legislative intern.

**Senate Joint Resolution No. 0355** -- Memorials, Sports -- Honors former University of Tennessee head basketball coach Don Devoe.

**Senate Joint Resolution No. 0356** -- Memorials, Recognition and Thanks -- Honors Reverend Leon Knowles.

**Senate Joint Resolution No. 0357** -- Memorials, Public Service -- Honors Mr. Joe M. Phillips, Jr. for historic preservation.

**Senate Joint Resolution No. 0359** -- Memorials, Recognition and Thanks -- Honors Adair Schippers for service as administrative assistant to Senator Curtis Person.

**Senate Joint Resolution No. 0361** -- Memorials, Personal Occasion -- Congratulates Mr. and Mrs. Richard F. Jenkinson, Jr., on the birth of son.

**Senate Joint Resolution No. 0362** -- Memorials, Personal Occasion -- Honors Judge Walter and Mrs. Garland on 50th wedding anniversary.

**Senate Joint Resolution No. 0363** -- Memorials, Sports -- Honors Manager David Lassiter, Coach Brad Melton and Paris Little League 13-15 year old girls' softball team.

**Senate Joint Resolution No. 0364** -- Memorials, Personal Occasion -- Congratulates Mr. and Mrs. Jeffrey Mullins on the birth of their son, Geoffrey Atticus Mullins.

**Senate Joint Resolution No. 0365** -- Memorials, Condolence -- Expresses sorrow at death of Carole Sims of Loudon County.

UNFINISHED BUSINESS, CONTINUED

RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 44 so that all House bills lying on the desk can be introduced and passed on first consideration, which motion prevailed.

RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 71, relative to the time for distributing amendments; so that those placed on the member's desks tomorrow, the bills having been placed on Thursday's Calendar today by the Calendar and Rules Committee, will be timely spread, which motion prevailed.

RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 49 so that all bills heard tomorrow by the Calendar and Rules Committee can be placed at the heel of tomorrow's regular calendar, which motion prevailed.

HOUSE BILL REFERRED

Rep. Starnes moved that House Bill No. 1169 be recalled from the Calendar and Rules Committee and referred to the Finance, Ways and Means Committee, which motion prevailed.

RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 81(1) so that House Bill No. 1169 can be heard in Finance, Ways and Means and Calendar and Rules Committees and House Bill 1259 in Calendar and Rules Committee this evening, which motion prevailed.

RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 59 so that all messages coming over from the Senate today and lying on the desk at the end of session today can be placed on a message calendar for tomorrow, Thursday, May 25, 1989, which motion prevailed.

MESSAGE FROM THE SENATE

May 24, 1989

MR. SPEAKER: I am directed to return to the House, House



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Bill(s) No(s). 1075; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, May 25, 1989:

House Bill No. 35: Rep. King; House Bill No. 66: Rep. Rhinehart; House Bill No. 78: Rep. Jim Henry; House Bill No. 197: Rep. Kisber; House Bill No. 358: Rep. Miller; House Bill No. 391: Rep. Buck; House Bill No. 393: Rep. DePriest; House Bill No. 563: Rep. C Moore; House Bill No. 646: Rep. Burnett; House Bill No. 649: Rep. DeBerry; House Bill No. 827: Rep. Pruitt; House Bill No. 1075: Rep. Cain; House Bill No. 1090: Rep. Wood; House Bill No. 1251: Rep. Givens; House Bill No. 1311: Rep. Naifeh; House Bill No. 1385: Rep. Burnett.

Senate Bill No. 609: Rep. Buck; Senate Bill No. 718: Rep. Hillis; Senate Bill No. 747: Rep. B Turner; Senate Bill No. 767: Rep. R E Davis; Senate Bill No. 899: Rep. Herron; Senate Bill No. 1135: Rep. Herron.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 196: Rep(s). West added as prime sponsor(s).

House Bill No. 200: Rep(s). Love added as prime sponsor(s).

House Bill No. 245: Rep(s). Duer added as prime sponsor(s).

House Bill No. 487: Rep(s). Crain added as prime sponsor(s).

House Bill No. 602: Rep(s). Naifeh added as prime sponsor(s).

House Bill No. 662: Rep(s). Moody added as prime sponsor(s).

House Bill No. 803: Rep(s). Anderson, Bivens, Clark, Holt, Jackson, Moody, Moore C. and Naifeh added as prime sponsor(s).

House Bill No. 1189: Rep(s). Peroulas added as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0071 -- Memorials, Interns and Pages -- Honors A. Todd Bennett, 1989 legislative intern. by \*Whitson, \*Robinson Ruth, \*Moody, \*Good.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

\*House Joint Resolution No. 0453 -- General Assembly, Studies -- Creates special joint committee to study insurance benefits for treatment of mental illness. by \*Starnes, \*Byrd, \*Purcell, \*Clark.

The Speaker referred House Joint Resolution No. 453 to the General Welfare Committee.

House Joint Resolution No. 0455 -- Memorials, Personal Achievement -- Congratulates Daniel Gargus, McKenzie High School Valedictorian. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

House Joint Resolution No. 0456 -- Memorials, Personal Achievement -- Congratulates Simon S. Storer, McKenzie High School Salutatorian. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

House Joint Resolution No. 0457 -- Memorials, Interns and Pages -- Honors Matthew Thomas Unga, 1989 legislative intern. by \*Bragg, \*Clark, \*Ridgeway.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

On motion, the rules were suspended to allow the following resolutions to be introduced and placed on the Supplemental Consent Calendar for May 24, 1989.

House Resolution No. 0072 -- Memorials, Public Service -- Honors Eddie F. Carter, Jr. by \*Jones R.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

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**House Resolution No. 0074** -- Memorials, Interns and Pages -- Commends Rebecca Caley, 1989 legislative intern. by \*Jones U, \*Jones R, \*Armstrong.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Resolution No. 0076** -- Memorials, Interns and Pages -- Honors Michael Hawkins for outstanding service as intern to the Martin Luther King, Jr. State Holiday Committee. by \*Jones R, \*Jones U, \*Armstrong.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Resolution No. 0077** -- Memorials, Recognition and Thanks -- Honors Greg O'Rear for many contributions to Tennessee. by \*Burnett, \*Murray, \*Naifeh, \*Chiles.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0458** -- Memorials, Interns and Pages -- Honors Angela Rae Ferguson, 1989 legislative intern. by \*West.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0459** -- Memorials, Sports -- Honors Clarkrange Hunting Preserve. by \*Burnett.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0460** -- Memorials, Interns and Pages -- Honors Philip Grant Clayton, 1989 legislative intern. by \*Holt.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0461** -- Memorials, Public Service -- Congratulates Henderson County Fire Department. by \*McDaniel, \*Sipes.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0462** -- Memorials, Congratulations -- Congratulates Fowler's Grove United Methodist Church on centennial anniversary. by \*Davis R E.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY**

**House Joint Resolution No. 0463** -- Memorials, Interns and Pages -- Honors Pamela Sue Davidson, 1989 legislative intern. by \*Miller.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0465** -- Memorials, Sports -- Honors Hickman County Lady Bulldogs. by \*Jackson.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0466** -- Memorials, Personal Achievement -- Honors Brian Frye on earning Eagle Scout Award. by \*Bragg.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0467** -- Memorials, Interns and Pages -- Honors and thanks John Andrew Beaty. by \*Davis J K, \*Bittle.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0468** -- Memorials, Public Service -- Recognizes Beulah Kate McBride as "Senior Citizen of the Year". by \*Crain.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0469** -- Memorials, Retirement -- Honors Bennie Rea Moseley on the occasion of his retirement as president of the Milan Banking Company. by \*Davis Ray.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0470** -- Memorials, Interns and Pages -- Honors Nick Adams, 1989 legislative intern. by \*Starnes.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0471** -- Memorials, Sports -- Honors Dresden Junior High School girls' basketball team. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0472** -- Memorials, Sports -- Honors Kelly Green, 1989 Basketball All-State player. by \*Herron.

**WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0473 -- Memorials, Personal Achievement -- Honors Ben Graves. by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0474 -- Memorials, Personal Achievement -- Honors Britt Dyer McClain on earning Eagle Scout Award. by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0475 -- Memorials, Sports -- Honors Andy Dailey, 1989 Basketball All-State Player. by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0476 -- Memorials, Personal Achievement -- Honors Jeff Loudermilk, Valedictorian of West Carroll High School. by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0477 -- Memorials, Personal Achievement -- Honors Tonya Lynn Cabrera, Valedictorian of Gleason High School. by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0478 -- Memorials, Personal Achievement -- Honors Liz Shannon. by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0479 -- Memorials, Personal Achievement -- Honors Jeremy Browning, Salutatorian of West Carroll High School. by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0480 -- Memorials, Sports -- Honors Kellie McElhiney, 1989 Basketball All-State player. by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY**

**House Joint Resolution No. 0481 -- Memorials, Sports -- Honors**  
Renee Washam, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0482 -- Memorials, Sports -- Honors**  
Alicia Birdwell, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0483 -- Memorials, Sports -- Honors**  
Amy Simms, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0484 -- Memorials, Sports -- Honors**  
Eric Below, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0485 -- Memorials, Sports -- Honors**  
Alisa Gorden, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0486 -- Memorials, Sports -- Honors**  
Amy Killen, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0487 -- Memorials, Sports -- Honors**  
Mike Devine, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0488 -- Memorials, Sports -- Honors**  
Tara Tansil, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0489 -- Memorials, Sports -- Honors**  
Tex Bardwell, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY**

**House Joint Resolution No. 0490 -- Memorials, Sports -- Honors**  
Ricky Adkisson, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0491 -- Memorials, Sports -- Honors**  
Michael Ellison, 1989 All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0492 -- Memorials, Sports -- Honors**  
Corey Hart, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0493 -- Memorials, Sports -- Honors**  
Daneen Windom, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0494 -- Memorials, Sports -- Honors**  
Monica Aylor, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0495 -- Memorials, Sports -- Honors**  
Mike Schuster, 1989 basketball all state player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0496 -- Memorials, Sports -- Honors**  
Amanda Neblett, 1989 All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0497 -- Memorials, Sports -- Honors**  
Hunter Staten, 1989 Basketball All-Star. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**House Joint Resolution No. 0498 -- Memorials, Sports -- Honors**  
Natt Moore, 1989 Basketball All-State player. by \*Herron.

Introduced and placed on the Supplemental Consent Calendar for  
Wednesday, May 24, 1989.

**WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY**

**House Joint Resolution No. 0499 -- Memorials, Sports -- Honors Lee Nunamaker, 1989 West Tennessee and District Basketball "All Star". by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**House Joint Resolution No. 0500 -- Memorials, Personal Achievement -- Honors Michelle Pate, Salutatorian of Gleason High School. by \*Herron.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

**Senate Joint Resolution No. 0343 -- Memorials, Sports -- Honors Rod Walker of Morristown-Hamblen High School West on establishing new national high school career home run record.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0345 -- Memorials, Personal Occasion -- Honors Archie D. Yawn, Sr., on fortieth anniversary at Northwest Airlines.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0358 -- Naming and Designating -- Designates "Tall Betsy" as official Halloween goblin of Bradley County.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0360 -- Memorials, Congratulations -- Honors 150th anniversary of First Centenary United Methodist Church.**

Introduced and placed on the Supplemental Consent Calendar for Wednesday, May 24, 1989.

On motion, the rules were suspended to allow the following resolutions to be introduced and placed on the Supplemental Consent Calendar for May 24, 1989.

**Senate Joint Resolution No. 0346 -- Memorials, Congratulations -- Honors Collierville Middle School on being selected as one of "Ten Great Schools".**



**WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY**

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0347** -- Memorials, Professional Achievement -- Honors J. D. Elliott, recipient of the Messenger Newspaper Person of the Year award.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0349** -- Memorials, Sports -- Honors Coach Russ Plummer and Hendersonville High School soccer team, TSSAA state champions.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0351** -- Memorials, Interns and Pages -- Honors Ramona G. Wilbanks, 1989 legislative intern.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0352** -- Memorials, Public Service -- Honors Judge Mose J. Davie for service as Special Judge in General Sessions Court of Davidson County.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0353** -- Memorials, Interns and Pages -- Honors Beth Anne Harrell, 1989 legislative intern.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0354** -- Memorials, Interns and Pages -- Honors Catherine Emma Crawley, 1989 legislative intern.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0355** -- Memorials, Sports -- Honors former University of Tennessee head basketball coach Don Devoe.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0356** -- Memorials, Recognition and Thanks -- Honors Reverend Leon Knowles.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY**

**Senate Joint Resolution No. 0357** -- Memorials, Public Service -- Honors Mr. Joe M. Phillips, Jr. for historic preservation.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0359** -- Memorials, Recognition and Thanks -- Honors Adair Schippers for service as administrative assistant to Senator Curtis Person.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0361** -- Memorials, Personal Occasion -- Congratulates Mr. and Mrs. Richard F. Jenkinson, Jr., on the birth of son.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0362** -- Memorials, Personal Occasion -- Honors Judge Walter and Mrs. Garland on 50th wedding anniversary.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0363** -- Memorials, Sports -- Honors Manager David Lassiter, Coach Brad Melton and Paris Little League 13-15 year old girls' softball team.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0364** -- Memorials, Personal Occasion -- Congratulates Mr. and Mrs. Jeffrey Mullins on the birth of their son, Geoffrey Atticus Mullins.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**Senate Joint Resolution No. 0365** -- Memorials, Condolence -- Expresses sorrow at death of Carole Sims of Loudon County.

Introduced and placed on Supplemental Consent Calendar for Wednesday, May 24, 1989.

**RESOLUTIONS LYING OVER**

**Senate Joint Resolution No. 0262** -- Highway Signs -- Provides for signs for Methodist Hospital North in Memphis.

The Speaker referred Senate Joint Resolution No. 262 to the Transportation Committee.

INTRODUCTION OF BILLS

House Bill No. 1552 -- Dickson County -- Creates water authority. by Jackson.

On motion, the rules were suspended for immediate introduction and passage on first consideration.

BILLS WITHDRAWN

On motion of Rep. Herron, House Joint Resolution No. 472 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 473 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 475 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 478 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 480 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 481 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 482 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 483 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 484 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 485 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 486 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 487 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 488 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 489 was withdrawn from the House.

On motion of Rep. Herron, House Joint Resolution No. 490 was withdrawn from the House.

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On motion of Rep. Herron, **House Joint Resolution No. 491** was withdrawn from the House.

On motion of Rep. Herron, **House Joint Resolution No. 492** was withdrawn from the House.

On motion of Rep. Herron, **House Joint Resolution No. 493** was withdrawn from the House.

On motion of Rep. Herron, **House Joint Resolution No. 494** was withdrawn from the House.

On motion of Rep. Herron, **House Joint Resolution No. 495** was withdrawn from the House.

On motion of Rep. Herron, **House Joint Resolution No. 496** was withdrawn from the House.

On motion of Rep. Herron, **House Joint Resolution No. 497** was withdrawn from the House.

On motion of Rep. Herron, **House Joint Resolution No. 498** was withdrawn from the House.

On motion of Rep. Herron, **House Joint Resolution No. 499** was withdrawn from the House.

**SENATE BILLS ON FIRST CONSIDERATION**

**Senate Bill No. 0002** -- State Employees -- Authorizes certain seasonal employees to be included in the group insurance plan for state employees. Amends TCA, Title 8, Ch. 27.

Held on the Clerk's desk pending third consideration of companion House Bill No. 245.

**Senate Bill No. 0099** -- Welfare -- Extends AFDC eligibility to certain eighteen year olds. Amends TCA 71-3-103.

Held on the Clerk's desk pending third consideration of companion House Bill No. 6.

**Senate Bill No. 0319** -- State Employees -- Extends maximum level of longevity benefits for state employees. Amends TCA 8-23-206.

Held on the Clerk's desk pending third consideration of companion House Bill No. 986.

**Senate Bill No. 0468** -- State Employees -- Defines employees of certain non-profit corporations as state employees for inclusion in state group insurance plan. Amends TCA 8-27-201.

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Held on the Clerk's desk pending third consideration of companion House Bill No. 487.

**Senate Bill No. 0537 -- Taxes, Litigation --** Increases litigation privilege taxes for civil suits and certain criminal cases. Amends TCA, Title 40, Ch. 14, Pt. 2; Title 67, Ch. 4, Pt. 6.

Held on the Clerk's desk pending third consideration of companion House Bill No. 866.

**Senate Bill No. 0538 -- DUI/DWI Offenses --** Increases penalty for certain violations for DUI.

Held on the Clerk's desk pending third consideration of companion House Bill No. 801.

**Senate Bill No. 0727 -- Hospitals and Health Care Facilities --** Decreases time for deferral for clarification of certificate of need applications. Amends TCA, Title 68, Ch. 11.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1157.

**Senate Bill No. 0927 -- Alcoholic Beverages --** Authorizes certain licensees to post certificate of deposit instead of bond; removes surety requirement for certain licensees. Amends TCA, Title 57, Ch. 4.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1283.

**Senate Bill No. 1017 -- Equalization Board --** Eliminates posting notice by board of persons applying for change. Amends TCA, Title 67, Ch. 5, Pt. 14.

Held on the Clerk's desk pending third consideration of companion House Bill No. 772.

**Senate Bill No. 1036 -- County Officers --** Raises salaries of certain county officers and clerks of courts. Amends TCA 8-24-102.

Held on the Clerk's desk pending third consideration of companion House Bill No. 815.

**Senate Bill No. 1057 -- Public Defenders --** Creates statewide public defender system except in Davidson and Shelby counties. Amends TCA, Title 8, Ch. 14.

Held on the Clerk's desk pending third consideration of companion House Bill No. 803.

**Senate Bill No. 1111 -- Ethics --** Revises threshold for certain requirements of making disclosures. Amends TCA, Titles 2, 3; Title 8, Ch. 50.

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Held on the Clerk's desk pending third consideration of companion House Bill No. 1109.

**Senate Bill No. 1293** -- Hospitals and Health Care Facilities -- Prohibits cap on laundry services for nursing home patients. Amends TCA, Title 71, Ch. 5, Pt. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 611.

**Senate Bill No. 1404** -- Public Buildings -- Provides for transfer of certain state property.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1298.

**Senate Bill No. 1461** -- Planning, Public -- Permits certain persons to have priority in purchase of certain redeveloped land. Amends TCA, Title 13, Ch. 20.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1451.

**Senate Bill No. 1565** -- Trenton -- Revises certain jurisdiction of municipal courts. Amends Chapter 551, Acts of 1903, as amended.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1549.

**HOUSE BILLS ON SECOND CONSIDERATION**

**House Bill No. 1548** -- Gibson County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**House Bill No. 1549** -- Trenton -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**House Bill No. 1550** -- Columbia -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**House Bill No. 1551** -- White County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**REPORTS FROM STANDING COMMITTEES**

**FINANCE, WAYS AND MEANS**

**May 24, 1989**

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1169.

BRAGG, Chairman.

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Under the rules, House Bill(s) No(s). 1169 was/were transmitted to the Calendar and Rules Committee.

**CONSENT CALENDAR**

**House Resolution No. 0071** -- Memorials, Interns and Pages -- Honors A. Todd Bennett, 1989 legislative intern.

**House Joint Resolution No. 0455** -- Memorials, Personal Achievement -- Congratulates Daniel Gargus, McKenzie High School Valedictorian.

**House Joint Resolution No. 0456** -- Memorials, Personal Achievement -- Congratulates Simon S. Storer, McKenzie High School Salutatorian.

**House Joint Resolution No. 0457** -- Memorials, Interns and Pages -- Honors Matthew Thomas Unga, 1989 legislative intern.

**House Resolution No. 0072** -- Memorials, Public Service -- Honors Eddie F. Carter, Jr.

**House Resolution No. 0074** -- Memorials, Interns and Pages -- Commends Rebecca Caley, 1989 legislative intern.

**House Resolution No. 0076** -- Memorials, Interns and Pages -- Honors Michael Hawkins for outstanding service as intern to the Martin Luther King, Jr. State Holiday Committee.

**House Joint Resolution No. 0458** -- Memorials, Interns and Pages -- Honors Angela Rae Ferguson, 1989 legislative intern.

**House Joint Resolution No. 0459** -- Memorials, Sports -- Honors Clarkrange Hunting Preserve.

**House Joint Resolution No. 0460** -- Memorials, Interns and Pages -- Honors Philip Grant Clayton, 1989 legislative intern.

**House Joint Resolution No. 0461** -- Memorials, Public Service -- Congratulates Henderson County Fire Department.

**House Joint Resolution No. 0462** -- Memorials, Congratulations -- Congratulates Fowler's Grove United Methodist Church on centennial anniversary.

**House Joint Resolution No. 0463** -- Memorials, Interns and Pages -- Honors Pamela Sue Davidson, 1989 legislative intern.

**House Joint Resolution No. 0465** -- Memorials, Sports -- Honors Hickman County Lady Bulldogs.

**House Joint Resolution No. 0466** -- Memorials, Personal Achievement -- Honors Brian Frye on earning Eagle Scout Award.

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**House Joint Resolution No. 0467 --** Memorials, Interns and Pages -- Honors and thanks John Andrew Beaty.

**House Joint Resolution No. 0468 --** Memorials, Public Service -- Recognizes Beulah Kate McBride as "Senior Citizen of the Year".

**House Joint Resolution No. 0469 --** Memorials, Retirement -- Honors Bennie Rea Moseley on the occasion of his retirement as president of the Milan Banking Company.

**House Joint Resolution No. 0470 --** Memorials, Interns and Pages -- Honors Nick Adams, 1989 legislative intern.

**Senate Joint Resolution No. 0343 --** Memorials, Sports -- Honors Rod Walker of Morristown-Hamblen High School West on establishing new national high school career home run record.

**Senate Joint Resolution No. 0345 --** Memorials, Personal Occasion -- Honors Archie D. Yawn, Sr., on fortieth anniversary at Northwest Airlines.

**Senate Joint Resolution No. 0360 --** Memorials, Congratulations -- Honors 150th anniversary of First Centenary United Methodist Church.

**House Joint Resolution No. 0471 --** Memorials, Sports -- Honors Dresden Junior High School girls' basketball team.

**House Joint Resolution No. 0474 --** Memorials, Personal Achievement -- Honors Britt Dyer McClain on earning Eagle Scout Award.

**House Joint Resolution No. 0476 --** Memorials, Personal Achievement -- Honors Jeff Loudermilk, Valedictorian of West Carroll High School.

**House Joint Resolution No. 0477 --** Memorials, Personal Achievement -- Honors Tonya Lynn Cabrera, Valedictorian of Gleason High School.

**House Joint Resolution No. 0479 --** Memorials, Personal Achievement -- Honors Jeremy Browning, Salutatorian of West Carroll High School.

**House Joint Resolution No. 0500 --** Memorials, Personal Achievement -- Honors Michelle Pate, Salutatorian of Gleason High School.

**House Resolution No. 0077 --** Memorials, Recognition and Thanks -- Honors Greg O'Rear for many contributions to Tennessee.

**Senate Joint Resolution No. 0346 --** Memorials, Congratulations -- Honors Collierville Middle School on being selected as one of "Ten Great Schools".



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**Senate Joint Resolution No. 0347 -- Memorials, Professional Achievement -- Honors J. D. Elliott, recipient of the Messenger Newspaper Person of the Year award.**

**Senate Joint Resolution No. 0349 -- Memorials, Sports -- Honors Coach Russ Plummer and Hendersonville High School soccer team, TSSAA state champions.**

**Senate Joint Resolution No. 0351 -- Memorials, Interns and Pages -- Honors Ramona G. Wilbanks, 1989 legislative intern.**

**Senate Joint Resolution No. 0352 -- Memorials, Public Service -- Honors Judge Mose J. Davie for service as Special Judge in General Sessions Court of Davidson County.**

**Senate Joint Resolution No. 0353 -- Memorials, Interns and Pages -- Honors Beth Anne Harrill, 1989 legislative intern.**

**Senate Joint Resolution No. 0354 -- Memorials, Interns and Pages -- Honors Catherine Emma Crawley, 1989 legislative intern.**

**Senate Joint Resolution No. 0355 -- Memorials, Sports -- Honors former University of Tennessee head basketball coach Don Devoe.**

**Senate Joint Resolution No. 0356 -- Memorials, Recognition and Thanks -- Honors Reverend Leon Knowles.**

**Senate Joint Resolution No. 0357 -- Memorials, Public Service -- Honors Mr. Joe M. Phillips, Jr. for historic preservation.**

**Senate Joint Resolution No. 0359 -- Memorials, Recognition and Thanks -- Honors Adair Schippers for service as administrative assistant to Senator Curtis Person.**

**Senate Joint Resolution No. 0361 -- Memorials, Personal Occasion -- Congratulates Mr. and Mrs. Richard F. Jenkinson, Jr., on the birth of son.**

**Senate Joint Resolution No. 0362 -- Memorials, Personal Occasion -- Honors Judge Walter and Mrs. Garland on 50th wedding anniversary.**

**Senate Joint Resolution No. 0363 -- Memorials, Sports -- Honors Manager David Lassiter, Coach Brad Melton and Paris Little League 13-15 year old girls' softball team.**

**Senate Joint Resolution No. 0364 -- Memorials, Personal Occasion -- Congratulates Mr. and Mrs. Jeffrey Mullins on the birth of their son, Geoffrey Atticus Mullins.**

**Senate Joint Resolution No. 0365 -- Memorials, Condolence -- Expresses sorrow at death of Carole Sims of Loudon County.**

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**\*House Resolution No. 0015 -- General Assembly, Studies --**  
Creates special committee to study committee structure in the House of Representatives.

**\*House Joint Resolution No. 0038 -- General Assembly, Studies --**  
Creates special joint committee to study establishing separate capital funds for the arts.

**\*House Resolution No. 0047 -- General Assembly, Studies --**  
Creates joint committee to study surface mining in Central Basin of Middle Tennessee.

**Amendment No. 1**

Amend House Resolution No. 47 by deleting the word "coal" in the first resolving clause and by substituting instead the word "minerals".

On motion, Amendment No. 1 by Rep. Hillis was adopted.

**\*Senate Joint Resolution No. 0075 -- General Assembly, Studies --**  
Continues special joint committee to study tax system created by SJR 334.

**\*Senate Joint Resolution No. 0101 -- General Assembly, Studies --**  
Creates committee to study school cafeteria equipment needs.

**Amendment No. 1**

AMEND Senate Joint Resolution No. 101 by deleting the first resolving clause and by substituting instead the following:

BE IT RESOLVED BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the state board of education is hereby directed to study the situation existing in public school food service operations, especially the condition, adequacy, and replacement of food service equipment, and the adequacy and availability of funding for such equipment.

AND FURTHER AMEND by deleting the second resolving clause.

AND FURTHER AMEND by deleting from the final resolving clause the word "committee" and by substituting instead the words "the state board of education".

AND FURTHER AMEND by deleting from the final resolving clause the punctuation and words ", and shall cease to exist at that time".

On motion, Amendment No. 1 by Rep. DeBerry was adopted.

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**\*House Joint Resolution No. 0109 -- General Assembly, Studies --**  
Creates special joint committee to study workers' compensation laws.

**Amendment No. 1**

AMEND House Joint Resolution No. 109 by deleting the ninth preamble clause in its entirety and substituting instead the following new clause:

WHEREAS, the workers' compensation laws of Tennessee should be reviewed by a study committee in order to determine if changes in the workers' compensation laws or increases in benefits are necessary and prudent; now, therefore,

AND FURTHER AMEND BY deleting the second resolving clause in its entirety and substituting instead the following new resolving clause:

BE IT FURTHER RESOLVED, That the special joint committee shall establish an advisory group in its study of the workers' compensation laws and see recommendations from the advisory group. The advisory group shall be composed of eight (8) citizens of the state. One (1) member of the advisory group shall be appointed from the department of commerce and insurance and one (1) from the department of labor. The other members shall be representatives of labor, business, insurers, trial lawyers, and the medical community.

On motion, Amendment No. 1 by Rep. Ellis was adopted.

**\*Senate Joint Resolution No. 0120 -- Memorials, Government Officials --** Requests Board of Education to study and report on problem of students working.

Amendment No. 1 was previously adopted.

**\*Senate Joint Resolution No. 0121 -- Memorials, Government Officials --** Urges state board of education to study the effects of cooperative education on students' school performance.

**Amendment No. 1**

AMEND Senate Joint Resolution No. 121 by adding after the words "state board of education" in the caption the words "and the state department of education".

AND FURTHER AMEND by deleting the words "is urged" in the first resolving clause and substituting instead the words "and the state department of education are urged".

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**AND FURTHER AMEND** in the fourth resolving clause by adding after the words "state board of education" the words "and to Dr. Charles Smith, commissioner of the state department of education".

On motion, Amendment No. 1 by Rep. Davidson was adopted.

**\*Senate Joint Resolution No. 0122 --** Memorials, Government Officials -- Urges state board of education to develop program where retired teachers are used to tutor at risk students on volunteer basis for LEAs.

**Amendment No. 1**

**AMEND** Senate Joint Resolution No. 122 by adding after the words "state board of education" in the caption the words "and the state department of education".

**AND FURTHER AMEND** in the first resolving clause by adding after the words "state board of education" the words "and the state department of education".

**AND FURTHER AMEND** in the third resolving clause by adding after the words "state board of education" the words "and to Dr. Charles Smith, commissioner of the state department of education".

On motion, Amendment No. 1 by Rep. Davidson was adopted.

**\*House Joint Resolution No. 0173 --** General Assembly, Studies -- Creates study committee to address the parking problems at community and regional colleges and University of Tennessee.

**\*Senate Joint Resolution No. 0173 --** Memorials, Government Officials -- Directs division of health related boards and of regulatory boards to prepare report on feasibility of employing electronic data processing systems.

**\*Senate Joint Resolution No. 0175 --** General Assembly, Studies -- Establishes special joint committee to study corporal punishment and alternative forms of discipline in Tennessee schools.

**Senate Joint Resolution No. 0198 --** General Assembly, Studies -- Creates joint committee to study lien laws.

**\*Senate Joint Resolution No. 0224 --** General Assembly, Studies -- Creates special committee to study fair employment practices laws.

**\*House Joint Resolution No. 0234 --** General Assembly, Studies -- Creates special joint committee to study legislative facilities and services.

Amendment No. 1

AMEND House Joint Resolution No. 234 by deleting the first and second resolving clauses and by substituting instead the following:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That the joint legislative services committee, established pursuant to Tennessee Code Annotated, Section 3-10-101, is hereby directed to perform a special study of the utilization of legislative facilities and the provision of services to members of the General Assembly.

BE IT FURTHER RESOLVED, That the joint legislative services committee shall report its preliminary findings and recommendations before January 1, 1990, and shall present its final report to the Ninety-Seventh General Assembly no later than February 1, 1991.

On motion, Amendment No. 1 by Rep. DeBerry was adopted.

**\*House Joint Resolution No. 0240 -- General Assembly, Studies --**  
Creates special joint committee to study licensing of contractors and subcontractors.

Amendment No. 1

AMEND House Joint Resolution No. 240 by deleting from the first resolving clause the words, figures, and symbols "three (3) citizens, to be appointed jointly" and by substituting instead the following:

"two (2) citizens, to be appointed jointly".

AND FURTHER AMEND by deleting from the final resolving clause the words, figures, and symbols "no later than February 15, 1990," and by substituting instead the following:

"no later than January 15, 1990,".

On motion, Amendment No. 1 by Rep. DeBerry was adopted.

**House Joint Resolution No. 0284 -- General Assembly, Studies --**  
Requests establishment of task force to study Dental Practice Act.

Amendment No. 1

AMEND House Joint Resolution No. 284 by deleting all language following the caption of the resolution beginning with the first "WHEREAS" and substituting instead the following:

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WHEREAS, the Tennessee Dental Association has caused two bills to be introduced, HB 1175/SB 962 and HB 1176/SB 963; and,

WHEREAS, the Tennessee Dental Hygienists' Association has caused two bills to be introduced SB 1015/HB 1427 and SB 1016/HB 1428; and,

WHEREAS, these bills have been the subject of extensive controversy and discussion; and

WHEREAS, the Tennessee Dental Association in a letter dated April 10, 1989, proposed the creation of a task force to study these issues between the present time and the Second Session of Ninety-Sixth General Assembly. The task force would consist of four board members from each association and a non-voting consultant from the Board of Dentistry; and,

WHEREAS, the Tennessee Dental Hygienists' Association is agreeable to participation in such a task force provided that there is an opportunity for legislative participation, that the members are encouraged to resolve the differences between the associations, and that a report or reports will be submitted to the General Assembly no later than January 2, 1990.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING THAT:

1. The General Assembly requests that the Tennessee Dental Association and the Tennessee Dental Hygienists' Association create a task force with membership from each association as described in the Tennessee Dental Association letter of April 10, 1989.

2. The General Assembly requests that the associations agree to permit one Senate and one House sponsor of each association's bills, selected by the respective Speaker, to be invited to the task force meetings and that each association appoint one technical non-voting member to advise respective task force members.

3. The General Assembly requests that each association authorize voting members of the task force to negotiate in good faith satisfactory to both associations.

4. The General Assembly requests that the task force complete and submit all reports to the General Assembly no later than January 2, 1990.

BE IT FURTHER RESOLVED That the Chief Clerk of the House of Representatives shall cause a copy of this

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Resolution to be delivered to the Tennessee Dental Association and the Tennessee Dental Hygienists' Association.

On motion, Amendment No. 1 by Rep. Starnes was adopted.

**\*House Joint Resolution No. 0350** -- General Assembly, Studies -- Creates special joint committee to investigate dramatic education to reduce drug abuse, illiteracy, dropping out and increasing learning.

**Amendment No. 1**

Amend House Joint Resolution No. 350 by adding in the second resolving clause after the words "Higher Education Commission" the following:

, the commissioner of education.

On motion, Amendment No. 1 by Rep. Davidson was adopted.

**Amendment No. 2**

AMEND by deleting the first resolving clause and by substituting instead the following:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That the select joint committee on children and youth, established pursuant to Tennessee Code Annotated, Section 3-15-201, is hereby directed to investigate the concept of dramatic education for all students and its relevance to reducing illiteracy and dropouts, and increasing learning.

AND FURTHER AMEND by deleting the second and third resolving clauses.

AND FURTHER AMEND by deleting from the final resolving clause the punctuation and words ", at which time the committee shall cease to exist".

On motion, Amendment No. 2 by Rep. DeBerry was adopted.

**\*House Joint Resolution No. 0378** -- General Assembly, Studies -- Creates legislative committee to study victims rights.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in,

which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**ENGROSSED BILLS**  
**May 24, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 200; and House Joint Resolution(s) No(s). 56; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**May 24, 1989**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 83, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 446, 447, 448, 449, 450, 451, 452 and 454; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**BILL REFERRED**

Rep. Phillips moved that pursuant to Rule No. 72, House Bill No. 1259 be recalled from the Calendar and Rules Committee and referred to the Finance, Ways and Means Committee, which motion prevailed.



WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR  
May 24, 1989

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill(s) No(s). 154, 315, 328, 357, 361, 415, 427, 515, 524, 596, 642, 683, 694, 725, 753, 770, 790, 840, 852, 977, 997, 1050, 1099, 1136, 1230, 1249, 1252, 1284, 1470, 1507, 1512, 1513, 1514, 1516, 1517, 1518, 1520, 1521, 1526, 1527, 1528, 1529 and 1530; and House Joint Resolution(s) No(s). 27, 190, 228, 353, 354, 357, 358, 359, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 381, 382, 383, 394, 406, 414 and 416, with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

ENROLLED BILLS  
May 24, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 193, 213, 225, 319, 409, 441, 589, 848, 998 and 1059; and House Joint Resolution(s) No(s). 419, 420, 421, 422, 423, 424, 426 and 445; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

SIGNED  
May 24, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 193, 213, 225, 319, 409, 441, 589, 848, 998 and 1059; and House Joint Resolution(s) No(s). 419, 420, 421, 422, 423, 424, 426 and 445.

ENGROSSED BILLS  
May 24, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 196 and House Joint Resolution(s) No(s). 206; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY

**ENROLLED BILLS**

**May 24, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 83, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 446, 447, 448, 449, 450, 451, 452 and 454; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**

**May 24, 1989**

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 83, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 446, 447, 448, 449, 450, 451, 452 and 454.

**MESSAGE FROM THE SENATE**

**May 24, 1989**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 80; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 24, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 391; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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**ENROLLED BILLS**

**May 24, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 66 and 67; find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**

**May 24, 1989**

The Speaker announced that he had signed the following: House Resolution(s) No(s). 66 and 67.

**MESSAGE FROM THE SENATE**

**May 24, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 88, 98, 423, 545 and 1326; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 24, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 193, 213, 225, 319, 409, 441, 589, 848, 998 and 1059; also, House Joint Resolution(s) No(s). 419, 420, 421, 422, 423, 424, 426 and 445; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 24, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 20, 276, 699, 809, 829, 861, 878, 970, 1436, 1511, 1531, 1535, 1536 and 1538; also, House Joint Resolution(s) No(s). 401, 402, 405, 407, 408, 410, 411, 412, 413, 415, 417, 418, 425 and 427; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY

MESSAGE FROM THE SENATE  
May 24, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 396, 769 and 1459; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Senate Bill No. 0396 -- State Government -- Enacts "Government Reform Act of 1989". Amends TCA, Titles 3--15.

Senate Bill No. 0769 -- Highway Signs -- Provides for directional signs for Baptist Memorial Hospital in Memphis.

Senate Bill No. 1459 -- Unicol County -- Enacts hotel/motel tax.

MESSAGE FROM THE SENATE  
May 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 93, 252, 519, 520, 547, 1056, 1263 and 1273; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE  
May 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 78; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

SIGNED  
May 24, 1989

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 88, 98, 423, 545 and 1326.

ENGROSSED BILLS  
May 24, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 113 and 741; and House Joint Resolution(s) No(s). 38, 109, 173, 234, 240, 284,

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316, 334, 350, 378, 409, 455, 456, 457, 458, 459, 460, 461, 462, 463, 465, 466, 467, 468, 469, 470, 471, 474, 476, 477, 479 and 500; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**  
**May 24, 1989**

In accordance with Rule No. 48, the following local bills, having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1450, 1548, 1549 and 1550.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**  
**May 24, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, May 25, 1989: House Bill(s) No(s). 1169.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**  
**CONSENT CALENDAR**  
**May 24, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, May 25, 1989: House Bill(s) No(s). 1450, 1548, 1549 and 1550.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**  
**May 24, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, January 10, 1990: House Bill(s) No(s). 1122.

PHILLIPS, Chairman.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 98

WEDNESDAY, MAY 24, 1989 -- FIFTIETH LEGISLATIVE DAY

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Grain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hills, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Nalfeh, Napier, Nicoley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Usery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

On motion of Rep. Nalfeh, the House adjourned until 9:00 a.m., Thursday, May 25, 1989.